

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

1934

VOLUME 19NUMBER 188

Washington, Tuesday, September 28, 1954

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order VI-3, Amdt. 1;
Defense Mobilization Order 7-8]

DRO 7-8—ESTABLISHMENT OF INDUSTRIAL DEFENSE COMMITTEE

Defense Mobilization Order VI-3, dated January 20, 1954 (19 F. R. 380), is hereby amended as follows:

1. The designation of this order shall be changed to read Defense Mobilization Order VII-8.

2. Amend paragraph 1 by striking the words "which shall consist of a representative of the Office of Defense Mobilization who is hereby designated as Chairman" and substitute the words "which shall consist of two representatives of the Office of Defense Mobilization who are hereby designated as Chairman and Vice Chairman * * *"

3. Strike out paragraph 2 in its entirety and substitute the following:

2. The Committee shall advise the Assistant Director for Production on policies, plans, programs, problems, and activities related to reducing and overcoming the effects of attack damage on the industrial mobilization base.

4. This amendment shall become effective September 20, 1954.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMING,
Director

[F. R. Doc. 54-7577; Filed, Sept. 23, 1954;
3:09 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Admin- istration, Department of Commerce

[Amdt. 39]

PART 600—DESIGNATION OF CIVIL AIRWAYS

ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army,

the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety to the flying public. Compliance with the notice procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required. Part 600 is amended as follows:

1. Section 600.223 *Red civil airway No. 23 (United States-Canadian Border to New York, N. Y.)* is amended by changing last portion beginning at Elmira, N. Y., to read: "Elmira, N. Y., radio range station; New York (LaGuardia), N. Y., radio range station to the intersection of the east course of the New York (LaGuardia), N. Y., radio range and the northeast course of the Mitchell AFB, N. Y., radio range."

2. Section 600.263 is amended to read:

§ 600.263 *Red civil airway No. 63 (Battle Creek, Mich., to the United States-Canadian Border)*. From the intersection of the southwest course of the Grand Rapids, Mich., radio range and the west course of the Battle Creek, Mich., radio range via the Battle Creek, Mich., radio range station to the Jackson, Mich., nondirectional radio beacon. That airspace over United States territory from the intersection of the northwest course of the Detroit, Mich., radio range and the west course of the Sarnia, Ontario, Canada, radio range to the Sarnia, Ontario, Canada, radio range station.

3. Section 600.663 is amended to read:
§ 600.663 *Blue civil airway No. 63 (Concord, N. H., to Berlin, N. H.)* From the Concord, N. H., radio range station via the Laconia, N. H., nondirectional radio beacon; North Conway, N. H., nondirectional radio beacon to the Berlin, N. H., nondirectional radio beacon.

(Sec. 205, 52 Stat. 984, amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 453)

(Continued on p. 6177)

CONTENTS

Agricultural Conservation Pro- gram Service	Page
Rules and regulations:	
Agricultural conservation; Ha- wall, 1955.....	6206
Agricultural Marketing Service	
Proposed rule making:	
Milk handling:	
Greater Kansas.....	6234
Topeka, Kans.....	6238
Agriculture Department	
See also Agricultural Conserva- tion Program Service; Agricul- tural Marketing Service; Com- modity Credit Corporation.	
Notices:	
Designation of areas for produc- tion and economic emergency loans; Connecticut, Massa- chusetts, New Hampshire and Rhode Island.....	6244
Disaster assistance; delineation and certification of counties contained in drought areas; certain States.....	6243
Atomic Energy Commission	
Withdrawal of public lands in Utah for use of Commission (see Land Management Bureau).	
Civil Aeronautics Administra- tion	
Rules and regulations:	
Alterations, designations of:	
Civil airways.....	6175
Control areas, zones, and re- porting points.....	6177
Minimum en route IFR alti- tudes; miscellaneous amend- ments.....	6177
Standard instrument approach procedures; procedure alter- ations.....	6179
Civil Aeronautics Board	
Notices:	
Pan American World Airways, Inc., acquisition of Lineas Aereas Costarricenses, S. A., postponement of hearing.....	6244
Commerce Department	
See Civil Aeronautics Administra- tion; Federal Maritime Board; Foreign Commerce Bureau.	



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

Now Available

UNITED STATES GOVERNMENT ORGANIZATION MANUAL

1954-55 Edition
(Revised through July 1)

Published by the Federal Register Division,
the National Archives and Records Service,
General Services Administration

742 Pages—\$1.00 a copy

Order from Superintendent of Documents,
United States Government Printing Office,
Washington 25, D. C.

CONTENTS—Continued

Commodity Credit Corporation	Page
Rules and regulations:	
Price support programs, 1954:	
Peanuts.....	6214
Wheat; wheat acreage.....	6214
Customs Bureau	
Rules and regulations:	
Cigars manufactured in customs bonded warehouses; inspection stamps.....	6220
Coal-tar products:	
Appraisement.....	6219
Liability for duties; entry of imported merchandise; requirements for additional information on certified or commercial invoices.....	6218

CONTENTS—Continued

Defense Mobilization Office	Page
Notices:	
Establishment of certain Assistant Director positions for:	
Plans and Readiness.....	6245
Production.....	6245
Rescission of order establishing position of Assistant Director for Non-Military Defense.....	6245
Rules and regulations:	
Industrial Defense Committee, establishment.....	6175
Employees' Compensation Bureau	
Rules and regulations:	
Extension of Longshoremen's and Harbor Workers' Compensation Act to persons employed in certain operations on the outer continental shelf.....	6220
Federal Maritime Board	
Notices:	
Hamburg-Amerika Line et al., agreements filed for approval.....	6244
Federal Trade Commission	
Notices:	
Gummed paper and sealing tape industry: trade practice conference.....	6244
Food and Drug Administration	
Rules and regulations:	
Tomato products; definitions and standards of identity; quality; and fill of containers; catsup, ketchup, catchup.....	6224
Foreign Commerce Bureau	
Rules and regulations:	
Export regulations:	
Miscellaneous amendments relating to licenses and privileges.....	6202
Positive list of commodities.....	6180
Health, Education, and Welfare Department	
See Food and Drug Administration.	
Interior Department	
See Land Management Bureau, National Park Service.	
Internal Revenue Service	
Proposed rule making:	
Income tax: Taxable years beginning after December 31, 1953; depreciation.....	6229
Rules and regulations:	
Establishment of new title.....	6224
Interstate Commerce Commission	
Notices:	
Applications for relief:	
Acetic acid and anhydride from Texas and Arkansas to Brookneal, Va.....	6247
Alcohol and related articles from Louisiana to Vee, Ohio.....	6247
Commodities, various, from Kansas City, Mo.-Kans., to southwestern points.....	6247

CONTENTS—Continued

Interstate Commerce Commission—Continued	Page
Notices—Continued	
Applications for relief—Con.	
Feed supplements, phosphatic, from Florida, Tennessee, Alabama and Mississippi to western trunk-line territory.....	6246
Implements, grading and road making, from certain States to North Atlantic ports.....	6246
Iron and steel from Houston, Tex., to Shreveport, La.....	6247
Sand, ground or pulverized, from Illinois and Wisconsin to points in official territory.....	6247
Rules and regulations:	
Special rules of procedure; temporary operating authorities and approvals.....	6228
Labor Department	
See Employees' Compensation Bureau.	
Land Management Bureau	
Notices:	
Alaska:	
Shorespace restoration and small tract classification orders.....	6242
Small tract classification order.....	6242
Emergency designation of marketing areas for certain O&C timber in order to minimize local log shortages and to avoid unemployment in Western Oregon.....	6243
Rules and regulations:	
Utah; withdrawing public lands for use of Atomic Energy Commission.....	6227
National Park Service	
Rules and regulations:	
Hot Springs National Park; Bathhouse regulations.....	6224
Renegotiation Board	
Rules and regulations:	
Costs allocable to and allowable against renegotiable business; involuntary liquidation of inventory.....	6224
Securities and Exchange Commission	
Notices:	
Consolidated Natural Gas Co., filing regarding proposed charter amendment and solicitation of proxies.....	6245
Treasury Department	
See Customs Bureau; Internal Revenue Service.	
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
Title 6	Page
Chapter IV	
Part 421.....	6214
Part 446.....	6214

CODIFICATION GUIDE—Con.

Title 7	Page
Chapter IX.	
Part 913 (proposed).....	6234
Part 980 (proposed).....	6238
Chapter XI.	
Part 1105.....	6206
Title 14	
Chapter II:	
Part 600.....	6175
Part 601.....	6177
Part 609.....	6179
Part 610.....	6177
Title 15	
Chapter III.	
Part 371.....	6202
Part 373.....	6202
Part 378.....	6202
Part 382.....	6202
Part 399.....	6180
Title 19	
Chapter I:	
Part 8.....	6218
Part 14.....	6219
Part 19.....	6220
Title 20	
Chapter I.	
Part 01.....	6220
Part 81.....	6220
Part 82.....	6221
Part 83.....	6222
Part 84.....	6223
Title 21	
Chapter I:	
Part 53.....	6224
Title 26 (1954).....	6224
Part 1 (proposed).....	6229
Title 32	
Chapter XIV.	
Part 1459.....	6224
Title 32A	
Chapter I (ODM)	
DMO VI-3.....	6175
DMO 7-3.....	6175
Title 36	
Chapter I:	
Part 21.....	6224
Title 43	
Chapter I.	
Appendix C (Public land orders)	
1011.....	6227
Title 49	
Chapter I.	
Part 2.....	6228

This amendment shall become effective 0001 e. s. t. September 28, 1954.

S. A. KEMP,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 54-7587; Filed, Sept. 27, 1954;
8:52 a. m.]

[Amdt. 39]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing

hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required. Part 601 is amended as follows:

1. Section 601.663 is amended to read:
§ 601.663 *Blue civil airway No. 63 control areas (Concord, N. H., to Berlin, N. H.)* All of Blue civil airway No. 63.

2. Section 601.1258 is amended to read:
§ 601.1258 *Control area extension (Lafayette, Ind.)* That airspace within 5 miles either side of a line bearing 247° True extending from Purdue University Airport, West Lafayette, Ind., to Blue civil airway No. 34.

3. Section 601.1341 *Control area extension (Danville, Ill.)* is revoked.

4. Section 601.1341 is added to read:
§ 601.1341 *Control area extension (Dover Del.)* That airspace southeast of Dover bounded on the north by Red civil airway No. 77, on the east by Blue civil airway No. 49, on the southeast by VOR civil airway No. 1 and on the west by VOR civil airway No. 29 excluding the portion which overlaps Danger Area D-12 and Caution Area C-53; that airspace southwest of Dover within a 25 mile radius of the Dover omnirange station bounded on the northwest by VOR civil airway No. 16 and on the southeast by Red civil airway No. 77.

5. Section 601.1355 is added to read:
§ 601.1355 *Control area extension (Berlin, N. H.)*. Within 5 miles either side of a line bearing 334° True extending from the Berlin Airport to a point 10 miles northwest.

6. Section 601.2031 is amended to read:
§ 601.2031 *Houston, Tex., control zone*. Within a 10 mile radius of Houston Municipal Airport, within a 5 mile radius of Ellington Air Force Base, and within 2 miles either side of a direct line extending from the Houston Municipal Airport to the Monument nondirectional radio beacon.

7. Section 601.2227 is amended to read:
§ 601.2227 *Dover, Del., control zone*. Within a 6 mile radius of the Dover Air Force Base and within 2 miles either side of the southeast course of the Dover AFB radio range extending from the radio range station to a point 10 miles southeast, excluding the portion which overlaps Danger Area D-12.

8. Section 601.4012 *Green civil airway No. 2 (Seattle, Wash., to Boston, Mass.)* is amended by deleting the following reporting point: "the intersection of the north course of the Salem, Mich., VHF radio range and the east course of the Lansing, Mich., radio range;"

9. Section 601.4281 is amended to read:

§ 601.4281 *Red civil airway No. 31 (Lansing, Mich., to Detroit, Mich.)*. No reporting point designation.

10. Section 601.4663 is amended to read:

§ 601.4663 *Blue civil airway No. 63 (Concord, N. H., to Berlin, N. H.)*. No reporting point designation.

(Sec. 205, 52 Stat. 934, as amended; 49 U. S. C. 423. Interprets or applies sec. 601, 52 Stat. 1167, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. September 28, 1954.

S. A. KEMP,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 54-7583; Filed, Sept. 27, 1954;
8:52 a. m.]

[Amdt. 74]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

MISCELLANEOUS ALIGNMENTS

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 610 is amended as follows (listed items to be placed in appropriate sequence in the sections indicated)

1. Section 610.12 *Green civil airway No. 2* is amended to read in part:

From—	To—	Minimum altitude
Buffalo, N. Y. (LFR).	East Pembroke (INT), N. Y.	1,000
East Pembroke (INT), N. Y.	Rush (INT), N. Y.	2,100
Rush (INT), N. Y.	Rehoboth, N. Y. (LFR).	2,000

2. Section 610.167 *Amber civil airway No. 7* is amended to read in part:

From—	To—	Minimum altitude
Woodstock (INT), Conn.	Belmont, Mass. (LP/EBN).	2,400
Belmont, Mass. (LP/EBN).	Easton, Mass. (LFR).	1,700

3. Section 610.363 *Red civil airway No. 63* is amended to delete:

From	To—	Minimum altitude
Jackson, Mich.	Salem, Mich. (VAF).	2,500
Salem, Mich. (VAF).	Warren (INT), Mich.	2,700

RULES AND REGULATIONS

4. Section 610.363 *Red civil airway No. 63* is amended to read in part:

From—	To—	Minimum altitude
Battle Creek, Mich. (LFR).	Jackson, Mich. (LF/RBN).	2,300

5. Section 610.615 *Blue civil airway No. 15* is amended to read in part:

From—	To—	Minimum altitude
Akron, Ohio (ILS/LOM).	Alliance (INT), Ohio.	2,300
Alliance (INT) Ohio..	Hubbard, Ohio (LF/RBN).	3,000

6. Section 610.662 *Blue civil airway No. 62* is amended to read in part:

From—	To—	Minimum altitude
Detroit, Mich. (LFR).	White Lake (INT), Mich.	2,500
White Lake (INT), Mich.	Flint, Mich. (ILS/LOM).	2,200

7. Section 610.663 *Blue civil airway No. 63* is amended by adding:

From—	To—	Minimum altitude
Laconia, N. H. (LF/RBN).	North Conway, N. H. (LF/RBN).	6,000
North Conway, N. H. (LF/RBN).	Berlin, N. H. (LF/RBN).	8,000

8. Section 610.6004 *VOR civil airway No. 4* is amended to read in part:

From—	To—	Minimum altitude
Kansas City, Mo. (VOR), via N alter.	Tina ¹ (INT), Mo., via N alter.	3,100
Tina ¹ (INT), Mo., via N alter.	Columbia, Mo. (VOR), via N alter.	4,900

¹ 4,000'—Minimum reception altitude.

² 2,400'—Minimum terrain clearance altitude.

9. Section 610.6012 *VOR civil airway No. 12* is amended to read in part:

From—	To—	Minimum altitude
Kansas City, Mo. (VOR), via N alter.	Tina ¹ (INT), Mo., via N alter.	3,100
Tina ¹ (INT), Mo., via N alter.	Columbia, Mo. (VOR), via N alter.	4,900
Dayton, Ohio (VOR)..	Columbus, Ohio (VOR).	2,400
Dayton, Ohio (VOR), via N alter.	Columbus, Ohio (VOR), via N alter.	2,500

¹ 4,000'—Minimum reception altitude.

² 2,400'—Minimum terrain clearance altitude

10. Section 610.6010 *VOR civil airway No. 10* is amended to read in part:

From—	To—	Minimum altitude
Kansas City, Mo. (VOR), via S alter.	Tina ¹ (INT), Mo., via S alter.	3,100
Tina ¹ (INT), Mo., via S alter.	Kirksville, Mo. (VOR), via S alter.	3,100
Bradford, Ill. (VOR), via S alter.	Leonore (INT), Ill., via S alter.	3,200
Leonore (INT), Ill., via S alter.	Naperville, Ill. (VOR) (VOR), via S alter.	2,000

¹ 4,900'—Minimum reception altitude.

² 2,400'—Minimum terrain clearance altitude.

³ 2,000'—Minimum terrain clearance altitude.

11. Section 610.6030 *VOR civil airway No. 30* is amended by adding:

From—	To—	Minimum altitude
Idlewild, N. Y. (VOR).	Patchogue ¹ (INT), N. Y.	2,000
Patchogue (INT), N. Y.	Mastic ² (INT), N. Y.	4,000

¹ 2,000'—Minimum reception altitude.

² 1,500'—Minimum terrain clearance altitude.

³ 4,000'—Minimum reception altitude.

12. Section 610.6047 *VOR civil airway No. 47* is amended to read in part:

From—	To—	Minimum altitude
Cincinnati, Ohio (VOR), via W alter.	Dayton, Ohio (VOR), via W alter.	2,500

13. Section 610.6050 *VOR civil airway No. 50* is amended to read in part:

From—	To—	Minimum altitude
Kirksville, Mo. (VOR), via S alter.	Warren (INT), Mo., via S alter.	2,500
Warren (INT), Mo., via S alter.	Quincy, Ill. (VOR), via S alter.	2,000

¹ 2,000'—Minimum terrain clearance altitude.

14. Section 610.6078 *VOR civil airway No. 78* is amended by adding:

From—	To—	Minimum altitude
Watertown, S. Dak. (VOR).	Madison (INT), Minn.	3,700
Madison (INT), Minn.	Litchfield (INT), Minn.	6,600
Litchfield (INT), Minn.	Buffalo (INT), Minn.	3,000
Buffalo (INT), Minn.	Minneapolis, Minn. (VOR).	2,600

¹ 3,300'—Minimum terrain clearance altitude.

² 3,000'—Minimum terrain clearance altitude.

³ 2,300'—Minimum terrain clearance altitude.

15. Section 610.6091 *VOR civil airway No. 91* is amended to read in part:

From—	To—	Minimum altitude
Syosset (INT), N. Y.	Wilton, Conn. (VOR).	1,600

16. Section 610.6116 *VOR civil airway No. 116* is amended by adding:

From—	To—	Minimum altitude
Kansas City, Mo. (VOR).	Tina ¹ (INT), Mo....	3,100
Tina (INT), Mo.....	Excelsior ² (INT), Mo....	5,000
Excelsior (INT), Mo.....	Warren (INT), Mo....	2,500
Warren (INT), Mo.....	Quincy, Ill. (VOR)....	2,000
Quincy, Ill. (VOR)....	Peoria (INT), Ill.	8,000
Peoria, Ill. (LFR)....	Naperville, Ill. (VOR).	2,000
Naperville, Ill. (VOR).	South Bend, Ind. (VOR).	2,500
South Bend, Ind. (VOR).	Union (INT), Ind....	2,000
Union (INT), Ind....	Litchfield, Mich. (VOR).	2,400
South Bend, Ind. (VOR), via N alter.	Litchfield, Mich. (VOR), via N alter.	2,400
Litchfield, Mich. (VOR).	Int. 062° mag. rad. Litchfield, Mich. (VOR) and 279° mag. rad. Detroit, Mich. (VOR), via N alter.	2,400
Litchfield, Mich. (VOR), via N alter.	Int. 062° mag. rad. Litchfield, Mich. (VOR) and 279° mag. rad. Detroit, Mich. (VOR), via N alter.	3,000
Int. 062° mag. rad. Litchfield, Mich. (VOR) and 279° mag. rad. Detroit, Mich. (VOR), via N alter.	Maldstone ³ (INT), Ont., Can.	2,300
Maldstone ³ (INT), Ont., Can.	Erle, Pa. (VOR).....	2,300

¹ 4,900'—Minimum reception altitude.

² 2,400'—Minimum terrain clearance altitude.

³ 5,000'—Minimum reception altitude.

⁴ 2,000'—Minimum terrain clearance altitude.

⁵ 2,500'—Minimum terrain clearance altitude.

⁶ 3,700'—Minimum reception altitude.

⁷ For that airspace over U. S. Territory.

17. Section 610.6166 *VOR civil airway No. 166* is added to read:

From—	To—	Minimum altitude
Martinsburg, W. Va. (VOR).	Parkton (INT), Md..	4,000

18. Section 610.6167 *VOR civil airway No. 167* is added to read:

From—	To—	Minimum altitude
Point Pleasant ¹ (INT), N. J.	Idlewild, N. Y. (VOR).	2,500
Idlewild, N. Y. (VOR).	Syosset ² (INT), N. Y.	2,000
Syosset (INT), N. Y.	Bridgeport, Conn. (VOR).	2,000
Bridgeport, Conn. (VOR).	Hartford, Conn. (VOR).	2,000

¹ 2,500'—Minimum reception altitude.

² 1,500'—Minimum terrain clearance altitude.

³ 2,000'—Minimum reception altitude.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551

These rules shall become effective October 12, 1954.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 54-7523; Filed, Sept. 27, 1954; 8:45 a. m.]

[Amdt 107]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES
PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

Where the general classification (LFR, VAR, ADF, ILS, OCA, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

1 The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet. MSL. Collisions are in feet above airport elevation. If an LFR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

City and State; airport name, elevation; facility; class and identification; procedure No.; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft.)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft.)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, or if landing not accomplished
							Condition	Type aircraft		
								76 m. p. h. or less	More than 76 m. p. h.	
1	2	3	4	5	6	7	8	9	10	11
PROCEDURE CANCELED EFFECTIVE SEPTEMBER 14, 1954										
BUTTE, MONT. Municipal, 663' BARRZ-DIV. BTM Procedure No. 1 September 14, 1954 Facility to be discontinued Sept. 14, 1954										
PROCEDURE CANCELED EFFECTIVE SEPTEMBER 14, 1954										
BUTTE, MONT. Municipal, 663' BARRZ-DIV. HLA Procedure No. 2 October 16, 1954 Facility to be discontinued Sept. 14, 1954										

These procedures shall become effective on the dates indicated in Column 1 of the procedures

(Sec 205, 52 Stat. 984, as amended; 49 U S C 425 Interpret or apply ccs 601, 52 Stat 1007, as amended; 49 U S C 551)

[SEAL]

F. B. LEE,
Administrator of Civil Aeronautics

[F R Doc 54-7524; Filed, Sept 27, 1954; 8:55 a m]

TITLE 15—COMMERCE AND FOREIGN TRADE **Chapter III—Bureau of Foreign Commerce, Department of Commerce**

Subchapter B—Export Regulations
 [7th Gen Rev of Export Regs Amdt P L 71]
 PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

APPENDIX A—POSITIVE LIST OF COMMODITIES

§ 399.1 Appendix A—Positive List of Commodities is amended to read as follows:

§ 399.1 Appendix A—Positive List of Commodities

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val.-dated license required	Commodity lists for explanation of symbols in this column, see 'General Notes to Appendix A' in this section)
	GROUP 0—ANIMALS AND ANIMAL PRODUCTS INEDIBLE (See special provisions for Commodity Group 0 §§ 373.13-373.16; special destination provisions §§ 373.65-373.67) <i>Other inedible animals and animal products</i>					
093600	Hog bristles sorted, bunched or prepared (report waste in 093698)	Lb	TEXT	100	RO	B
	GROUP 2—VEGETABLE PRODUCTS, INEDIBLE EXCEPT FIBERS AND WOOD (See special provisions for Commodity Group 2, §§ 373.20-373.23; special destination provisions §§ 373.65-373.67) <i>Rubber (natural, allied gums, and synthetics) and manufactures</i>					
200100	Crude (natural) rubber and allied gums (report compounded or semiprocessed in 200300): Crude rubber (report natural liquid latex in terms of total dry latex solids T.D.L.S.); Synthetic rubbers (report synthetic liquid latex in terms of total dry latex solids T.D.L.S.); S type copolymers of isoprene and styrene; Butyl (copolymers of isoprene and styrene) or other olefins; Thiokol (organic polysulfides) Silicones Tires, tire casings and inner tubes, new and used (solid and pneumatic) (report scrap tires, scrap tire casings and scrap inner tubes, cut or uncut, under 201300): Pneumatic tires and tire casings: Truck and bus tires and tire casings: (a) all sizes, combat or run-flat construction: over; (b) all sizes 34 x 7 of 8-ply rating and over; (c) all sizes 1200 x 20 and 1400 x 20 of 12-ply rating and over; (d) with off-the-road tread in the following sizes and ply ratings: all sizes 650 x 19, 650 x 20, and 700 x 16 of 6-ply rating and over; all sizes 700 x 20, 750 x 20, and 900 x 20 of 8-ply rating and over.	Lb	RUBR 2	250	RO	F
200301		Lb	RUBR 14	100	RO	F
200303		Lb	RUBR 2	100	RO	AF
200308		Lb	RUBR 2	25	RO	F
200308		Lb	RUBR 2	500	RO	AF
200300		No.	RUBR 10	100	RO	AF

* This amendment is published in Current Export Bulletin No 736 dated August 26 1954.

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val.-dated license required	Commodity lists for explanation of symbols in this column, see 'General Notes to Appendix A' in this section)
200430	GROUP 2—VEGETABLE PRODUCTS, INEDIBLE EXCEPT FIBERS AND WOOD—Continued <i>Rubber (natural, allied gums, and synthetics) and manufactures—Continued</i> Tires, the casings and inner tubes new and used—Continued Pneumatic tires and the casings (except off the road tires and the casings (except farm tractor or run flat construction): (a) all sizes 34 x 7 of 8-ply rating and over; (b) all sizes 1200 x 20 and 1400 x 20 of 12-ply rating and over; (c) all sizes 650 x 19, 650 x 20, and 700 x 16 of 6-ply rating and over; (d) all sizes 700 x 20, 750 x 20, and 900 x 20 of 8-ply rating and over; (e) all sizes 1000 x 20 and over of 36-ply rating and over; Industrial tires and the casings: (a) all sizes 34 x 7 of 8-ply rating and over; (b) all sizes 34 x 7 of 8-ply rating and over; (c) all sizes 1200 x 20 and 1400 x 20 of 12-ply rating and over; Rubber hose and tubing (report surgical tubing in 204100) High-pressure rotary drilling hose 3 000 p s i and over	No	RUBR 10	100	RO	AF
200400		No	RUBR 10	100	RO	AF
200920		Lb	RUBR	100	RO	AF
384935	GROUP 3—TEXTILE FIBERS AND MANUFACTURES (See special provisions for Commodity Group 3 §§ 373.24-373.27; special destination provisions §§ 373.65-373.67) <i>Man-made (synthetic) fibers and manufactures</i> Nylon cloth specially manufactured for the production of parachutes	Sq yd	TEST 18	100	R	
481600	GROUP 4—WOOD AND PAPER (See special provisions for Commodity Group 4 §§ 373.28-373.30; special destination provisions §§ 373.65-373.67) <i>Paper related products and manufactures</i> Fine paper: Paper for dielectric use, uncoated, 0.0015 inch (0.038 mm.) or less in thickness (describe fully, stating thickness and whether coated or uncoated). Special industrial paper, n. e. c.: Paper for dielectric use, uncoated, 0.0015 inch (0.038 mm.) or less in thickness (describe fully, stating thickness and whether coated or uncoated). Paper, paperboard, and products, n. e. c.: Paper for dielectric use coated 0.0015 inch (0.038 mm.) or less in thickness (describe fully stating thickness and whether coated or uncoated)	Lb	PULP 1	15	RO	A G
482700		Lb	PULP 1	15	RO	A G
483900		Lb	PULP 1	15	RO	A G

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license re-quired	Commodity lists for (ex-planation of symbols in sec. General Notes to App. pendix A in this sec-tion)
GROUP C—NONMETALLIC MINERALS						
Petroleum and products						
201200	Natural gasoline (barrels of 42 gallons)	Bbl	PETR 1	125	RO	A E F
201400	Motor fuel and gasoline (report octane rating): Blending agents of petroleum origin (specify by name) (report antiknock compounds in 820310). Aviation motor fuels (report jet fuels in 201800): 100 or over octane number (barrels of 42 gallons). Under 100, not under 90 octane number (barrels of 42 gallons). Under 90 octane number (barrels of 42 gallons). Automotive and other motor fuels and gaso-line (barrels of 42 gallons). Jet fuels, all types (barrels of 42 gallons). Kerosene, except distillate fuel oil (barrels of 42 gallons). Lubricating oils, except hydraulic (report hydraulic oils of petroleum origin in 202500; bydraulic oils, except of petroleum origin in 820340). Industrial, except cutting oils (report cutting oils in 820340). Red and pale oils (including all red or pale lubricating oils, except those intended for use in internal combustion engines) (see 820340 and 820340) (barrels of 42 gal-lons). Black oils (including all black and dark green oils, except those intended for use in internal combustion engines) (barrels of 42 gallons). Cylinders, light stocks (including bright stock and industrial lubricating oils which are predominantly bright stock and have a Saybolt Universal Viscosity at 210° F. of 42 or over) (barrels of 42 gallons). Cylinders, dark stocks (including cylinder stock, steam cylinder oil, gear and other lubricating oils containing principally of such stock) (barrels of 42 gallons). Incubating or tran-fer oils. Industrial engine lubricating oils (report diesel fuel oil in 820340-20190) (barrels of 42 gallons). Turbo-charging oil (barrels of 42 gallons). Other industrial engine lub-ricating oil (barrels of 42 gallons) (specify by name). Industrial lubricating oils, n. e. c. (barrels of 42 gallons) (specify by name). Aviation engine lubricating oils (barrels of 42 gallons). Automotive engine lubricating oils (barrels of 42 gallons). Automotive gear oils (quar-els of 42 gallons) (specify by kind and grade)	Gal	PETR 1	100	RO	A B F
201610	100 or over octane number (barrels of 42 gallons).	Bbl	PETR 2	125	RO	A B O F
201620	Under 100, not under 90 octane number (barrels of 42 gallons).	Bbl	PETR 2	125	RO	A B O F
201640	Under 90 octane number (barrels of 42 gallons).	Bbl	PETR 2	125	RO	A B O F
201700	Automotive and other motor fuels and gaso-line (barrels of 42 gallons).	Bbl	PETR 1	125	RO	A E F
201800	Jet fuels, all types (barrels of 42 gallons).	Bbl	PETR 1	25	RO	A B F
202700	Kerosene, except distillate fuel oil (barrels of 42 gallons).	Bbl	PETR 1	125	RO	A E F
202500	Lubricating oils, except hydraulic (report hydraulic oils of petroleum origin in 202500; bydraulic oils, except of petroleum origin in 820340).	Bbl	PETR 1	125	RO	A E F
202500	Industrial, except cutting oils (report cutting oils in 820340).	Bbl	PETR 1	125	RO	A E F
202500	Red and pale oils (including all red or pale lubricating oils, except those intended for use in internal combustion engines) (see 820340 and 820340) (barrels of 42 gal-lons).	Bbl	PETR 3	25	RO	A E F
202500	Black oils (including all black and dark green oils, except those intended for use in internal combustion engines) (barrels of 42 gallons).	Bbl	PETR 3	25	RO	A E F
202500	Cylinders, light stocks (including bright stock and industrial lubricating oils which are predominantly bright stock and have a Saybolt Universal Viscosity at 210° F. of 42 or over) (barrels of 42 gallons).	Bbl	PETR 3	25	RO	A E F
202500	Cylinders, dark stocks (including cylinder stock, steam cylinder oil, gear and other lubricating oils containing principally of such stock) (barrels of 42 gallons).	Bbl	PETR 3	25	RO	A E F
202500	Incubating or tran-fer oils.	Gal	PETR 3	25	RO	A E F
202500	Industrial engine lubricating oils (report diesel fuel oil in 820340-20190) (barrels of 42 gallons).	Bbl	PETR 3	25	RO	A E F
202500	Turbo-charging oil (barrels of 42 gallons).	Bbl	PETR 3	25	RO	A E F
202500	Other industrial engine lub-ricating oil (barrels of 42 gallons) (specify by name).	Bbl	PETR 3	25	RO	A E F
202500	Industrial lubricating oils, n. e. c. (barrels of 42 gallons) (specify by name).	Bbl	PETR 3	25	RO	A E F
202500	Aviation engine lubricating oils (barrels of 42 gallons).	Bbl	PETR 3	25	RO	A E F
202500	Automotive engine lubricating oils (barrels of 42 gallons).	Bbl	PETR 3	25	RO	A E F
202500	Automotive gear oils (quar-els of 42 gallons) (specify by kind and grade)	Bbl	PETR 3	25	RO	A E F

* The GLV dollar value limit for shipments to Mexico is \$1,000

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vald. dated license re-quired	Commodity lists for (ex-planation of symbols in this column, see General Notes to App. pendix A in this sec-tion)
GROUP C—NONMETALLIC MINERALS—Continued						
204000	Refined oils—Continued Lubricating oils, n. e. c., except in containers of 4 ounces or less (specify by name). Cutting oils and compounds, petroleum base (report cutting oils and compounds, except petroleum base in 820300) (specify by name). Lubricating greases, except graphite lubricants (report graphite lubricants in 820300). Automatic transmission fluids (all types). Reference fuels, reference fuels, and calibrating fuels (all types). Hydraulic fluids or oils (petroleum base) (report other hydraulic fluids or oils in 820300)	Gal	PETR 3	25	RO	A E F
204000	Refined oils—Continued Lubricating oils, n. e. c., except in containers of 4 ounces or less (specify by name). Cutting oils and compounds, petroleum base (report cutting oils and compounds, except petroleum base in 820300) (specify by name). Lubricating greases, except graphite lubricants (report graphite lubricants in 820300). Automatic transmission fluids (all types). Reference fuels, reference fuels, and calibrating fuels (all types). Hydraulic fluids or oils (petroleum base) (report other hydraulic fluids or oils in 820300)	Gal	PETR 3	25	RO	A E F
204000	Refined oils—Continued Lubricating oils, n. e. c., except in containers of 4 ounces or less (specify by name). Cutting oils and compounds, petroleum base (report cutting oils and compounds, except petroleum base in 820300) (specify by name). Lubricating greases, except graphite lubricants (report graphite lubricants in 820300). Automatic transmission fluids (all types). Reference fuels, reference fuels, and calibrating fuels (all types). Hydraulic fluids or oils (petroleum base) (report other hydraulic fluids or oils in 820300)	Lb	PETR 3	25	RO	A E F
204000	Refined oils—Continued Lubricating oils, n. e. c., except in containers of 4 ounces or less (specify by name). Cutting oils and compounds, petroleum base (report cutting oils and compounds, except petroleum base in 820300) (specify by name). Lubricating greases, except graphite lubricants (report graphite lubricants in 820300). Automatic transmission fluids (all types). Reference fuels, reference fuels, and calibrating fuels (all types). Hydraulic fluids or oils (petroleum base) (report other hydraulic fluids or oils in 820300)	Gal	PETR 1	25	RO	A E F
204000	Refined oils—Continued Lubricating oils, n. e. c., except in containers of 4 ounces or less (specify by name). Cutting oils and compounds, petroleum base (report cutting oils and compounds, except petroleum base in 820300) (specify by name). Lubricating greases, except graphite lubricants (report graphite lubricants in 820300). Automatic transmission fluids (all types). Reference fuels, reference fuels, and calibrating fuels (all types). Hydraulic fluids or oils (petroleum base) (report other hydraulic fluids or oils in 820300)	Gal	PETR 1	25	RO	A E F
Glass and products						
22110	Raw optical glass in the mass (United or un-tinted). Blocks, plates (slabs), pressings and moulds (other than rough moulded lenses and prisms) with a unit weight of 1 lb. or more. Rough moulded lenses with a unit weight of 0.5 lb. or more. Rough-moulded prisms with a unit weight of 0.5 lb. or more.	No. & Lb	SATE	25	RO	A F
22110	Raw optical glass in the mass (United or un-tinted). Blocks, plates (slabs), pressings and moulds (other than rough moulded lenses and prisms) with a unit weight of 1 lb. or more. Rough moulded lenses with a unit weight of 0.5 lb. or more. Rough-moulded prisms with a unit weight of 0.5 lb. or more.	No. & Lb	SATE	25	RO	A F
22110	Raw optical glass in the mass (United or un-tinted). Blocks, plates (slabs), pressings and moulds (other than rough moulded lenses and prisms) with a unit weight of 1 lb. or more. Rough moulded lenses with a unit weight of 0.5 lb. or more. Rough-moulded prisms with a unit weight of 0.5 lb. or more.	No. & Lb	SATE	25	RO	A F
Clay and products						
23020	Refractories, except graphite (brick and shapes reported in 820300), each equivalent of 67 percent or more by weight of magnesium oxide.	M	BLDG 31	None	RO	A B O F
23030	Electric brick and shapes, except plastic n. e. c., composed of 67 percent or more by weight of beryllium oxide or aluminum oxide, or composed of aluminum oxide stabilized with lime and/or magnesium oxide.	M	BLDG 31	None	RO	A B O F
23030	High temperature refractory cements or bind-ing materials composed of 67 percent or more by weight of beryllium oxide, or aluminum oxide, or aluminum oxide, or composed of aluminum oxide stabilized with lime and/or magnesium oxide (report magnesia ce-ment in 820300).	Lb	BLDG 31	None	RO	A B O F
23030	Plastic refractories (including fire-brick shapes, and ramming mixtures composed of 67 percent or more by weight of beryllium oxide, magnesium oxide, or aluminum oxide, or composed of aluminum oxide sta-bilized with lime and/or magnesium oxide, or composed of beryllium oxide, or mag-nesium oxide, or aluminum oxide, or com-posed of aluminum oxide stabilized with lime and/or magnesium oxide (specify by name)	Lb	BLDG 31	None	RO	A B O F
23030	Refractories, n. e. c., composed of 67 percent or more by weight of beryllium oxide, mag-nesium oxide, or aluminum oxide, or com-posed of aluminum oxide stabilized with lime and/or magnesium oxide (specify by name)	Lb	BLDG 31	None	RO	A B O F
Other nonmetallic minerals (specimens included)						
24020	Abacates: Diamond grinding wheels, atlas honey, and lumps (specify unit weight and net size of contact diamonds) (report 1000 mesh diamond in 820300; diamond powder or dust, including compounds in 820300)	Quant	TOOL 1	25	RO	A B O G

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valt. dated license re- quired	Commodity lists for (see paragraph in this column) see "General Notes to Appendix A" in this section)
GROUP 5—NONMETALLIC MINERAL—continued						
<i>Other nonmetallic minerals (precious included)—Continued</i>						
540910	Abrasives—Continued					
541110	Diamond powder	Carat Lb	ODGS 2	None	RO	A B O
541120	Fused alumina (aluminum oxide) crude and in grains	Lb	MINL 1	100	R	E
541140	Fused silicon carbide, crude and in grains	Lb	MINL 1	100	R	E
541210	Boron carbide...	Lb	TOOL	500	R	E
547300	Abrasive products: Grinding wheels containing silicon carbide or aluminum oxide.	Lb				
547400	Carbon or graphite products (natural and artificial): Electrodes for furnace or electrolytic work, artificial graphite, smallest dimension 2 inches or over (specify size and boron content in parts per million).	Lb	MINL	100	RO	A B O E
547800	Brush stock, artificial graphite, smallest dimension 2 inches or over (specify by name size and boron content in parts per million).	No	ELME 1	50	RO	A B O F
549008	Lighting carbons, artificial graphite, smallest dimension 2 inches or over (specify size and boron content in parts per million).	Lb	FILM	25	RO	A B O F
549008	Graphite greases and lubricants (petroleum base).	Lb	PETR	25	RO	A F
571410	Artificial graphite products, n. e. c., in block or rod form, smallest dimension 2 inches or over (specify by name, size and boron content in parts per million).	Lb	MINL	100	RO	A B O E
571600	Sulfur, crude (containing 85 percent or more sulfur; report sulfur content in 549008)	L ton	SALT 36	25	R	E F
572250	Sulfur, crushed ground refined sublimed and flows	Lb	SALT 36	25	R	E F
572250	Magnesium cement composed of 97 percent or more by weight of magnesium oxide.	Lb	BLDG 31	None	RO	A B O F
580300	Magnesium oxide, purity 97 percent or higher, except precipitated (report precipitated in 580300).	Lb	MINL	50	RO	A B O
580300	Quartz crystal raw					
580300	Quartz crystal plates (see 5392.2, Int. 6)		BARA 50	50	RO	A O
580300	Diamonds suitable only for industrial use, n. e. c.	Carat	BARA 50	100	RO	A O
580300	Diamonds, rough or uncut suitable for cutting into gem stones	Carat	ODGS 1	None	RO	A O
580308	Diamond bearings		ODGS 1	None	RO	A O
GROUP 6—METALS AND MANUFACTURES EXCEPT MACHINERY AND VEHICLES						
(See special provisions for Commodity Group 6, §§ 373.39-373.47; special destination provisions, §§ 373.65-373.67)						
<i>Iron and steel scrap</i>						
601010	Scrap, except tin plated and tinned steel scrap (report scrap containing 1 percent or more tungsten in 604331 and 5 percent or more cobalt in 604520)	S ton				
601040	Melting steel scrap (No. 1 heavy and No. 2)	S ton	STEE 19	100	RO	A G
601040	Baled sheet melting scrap (including deformed, semi-deformed, or rusted tin-plated scrap).	S ton	STEE 19	100	RO	A G
601040	Borings, shavings and turnings (steel melt ing scrap)	S ton	STEE 19	100	RO	A G
601070	Iron scrap...	S ton				
601070	Other scrap (specify type) (including deformed semi-deformed, or rusted tin-plated scrap)	S ton	STEE 19	100	RO	A G
601170	Borelling material (report relaying rails in 603300)	S ton	STEE	100	RO	A G
GROUP 6—METALS AND MANUFACTURES EXCEPT MACHINERY AND VEHICLES—continued						
<i>Steel mill products—unfinished</i>						
601702	Steel ingots, blooms, billets slabs sheet bars, and tinplate bars	S ton				
601702	Alloy steel including stainless:	S ton				
601708	Other alloy steel ingots (includes non nickel bearing stainless steel)	S ton	STEE	100	RO	A
601708	Billets, blooms, slabs and sheet bars nickel bearing stainless steel	S ton	STEE	100	RO	A
601708	Other alloy steel billets (except projectile and shell steel), blooms, slabs, and sheet bars (includes non-nickel bearing stainless steel)	S ton	STEE	100	RO	A
601810	Semi-finished material for seamless pipe and tubing, nickel bearing stainless steel.	S ton	STEE	100	RO	A
601810	Semi-finished material for seamless pipe and tubing, other alloy steel, (includes non nickel bearing stainless steel).	S ton	STEE	100	RO	A
601910	Wire rods nickel bearing stainless steel.	Lb	STEE	100	RO	B
601910	Wire rods other alloy steel (includes non nickel bearing stainless steel).	Lb	STEE	100	RO	A
601950	Skip nickel bearing stainless steel	Lb	STEE	1 000	RO	A
601950	Skip, other alloy steel (includes non nickel bearing stainless steel)	Lb	STEE	1 000	RO	A
<i>Steel mill products rolled and finished</i>						
(Include Armco iron, ingot iron, and other iron made in a steel making furnace)						
602050	Steel bars, including bar size shapes: Bars, cold finished (all cold drawn or cold rolled flats, and rounds in coils or cut to lengths, and special sections):	Lb	STEE 10	100	RO	A B
602050	Nickel-bearing stainless steel	Lb	STEE 10	100	RO	A
602050	Alloy, except stainless	Lb	STEE 10	100	RO	A
602500	Bars, hot rolled except tool and hollow drill steel bars (all regular bars, including bars in coils and cut lengths and special sections and bar shapes under 3 inches) (report tool steel bars in 602530; hollow drill steel bars in 602670; and special sections and bar shapes 3 inches and over, in 604310-604350):	Lb	STEE	100	RO	A B
602500	Nickel-bearing stainless steel	Lb	STEE	100	RO	A
602500	Non nickel bearing stainless steel	Lb	STEE	100	RO	A
602530	Alloy steel, except projectile and shell steel	Lb	STEE	100	RO	A
602530	Tool steel bars:	Lb	STEE	100	RO	A
602570	Alloy steel, including boiler plate (hot or cold rolled flats, and rounds in coils or cut to lengths, and special sections):	Lb	STEE	100	RO	A
603135	Steel plates, including boiler plate (hot or cold rolled flats, and rounds in coils or cut to lengths, and special sections):	Lb	STEE 9	100	RO	A B
603135	Nickel-bearing stainless steel (includes stain less-rolled plates)	Lb	STEE 9	100	RO	A
603135	Non nickel-bearing stainless steel (includes stainless-rolled plates)	Lb	STEE 9	100	RO	A
603145	Steel sheets, black ungalvanized (including painted):	Lb	STEE 9	100	RO	A
603540	Stainless steel:	Lb				
603540	Hot-rolled nickel-bearing	Lb	STEE 3	100	RO	A B
603540	Hot-rolled, non-nickel-bearing	Lb	STEE 3	100	RO	A
603560	Cold-rolled nickel-bearing	Lb	STEE 3	100	RO	A B
603570	Cold-rolled non-nickel-bearing	Lb	STEE 3	100	RO	A

* Armor plate classified in Schedule B No 603165 requires report authorization from the Department of State. See § 370.4 (3)

[illegible]

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valt. dated license required	Commodity lists for explanation of symbols in this column, see 'General Notes to Appendix A' in this section
	GROUP 6—METALS AND MANUFACTURES, EXCEPT MACHINERY AND VEHICLES—Continued					
	<i>Metal manufactures—Continued</i>					
610057	Wire products, n. e. c. (report wire nails, staples, and spikes in 610207-610273): Woven wire mesh composed of wire containing 95 percent or more nickel with 60 or more wires per linear centimeter.	Sq ft	ODGS	None	RO	A B O F
610061	Wire rope, cord, and cable, except guard rail and insulated rope guard rail in 610005; and insulated rope and strand in 700310-700376: Wire rope and cord made of stainless steel, suitable for aircraft.	Lb	STEE	100	RO	A
610063	Wire-strand, including guard rail cable (report strand wire in 608200): Wire strand made of stainless steel suitable for aircraft.	Lb	STEE	100	RO	A
610060	Woven wire mesh composed of wire containing 80 percent or more nickel with 60 or more wires per linear centimeter.	Sq ft	ODGS	None	RO	A B O F
610110	Metal powders:	Lb	STEE	10	RO	A
610130	Aluminum and aluminum alloy powders (including iron powder for all purposes)----	O lb	NONF	100	RO	A E
610151	Beryllium (aluminum content)-----	Lb	MINL	500	RO	A B O
610151	Beryllium alloys (except beryllium copper), containing more than 60 percent beryllium by weight	Lb	MINL	500	RO	A B O
610152	Magnesium-----	Lb	MINL	100	RO	A B O E
610153	Molybdenum-----	Lb	MINL	100	RO	A
610155	Tantalum-----	Lb	MINL	25	RO	A
610159	Cobalt-----	Lb	NONF	25	RO	A
610159	Nickel-chrome boron powder-----	Lb	NONF	25	RO	A B G
610159	Nickel flakes-----	Lb	NONF	100	RO	A B G
610159	Nickel powder-----	Lb	NONF	None	RO	B O G
610159	Selenium (specify selenium content and grade)-----	Lb	MINL	25	RO	A B G
610159	Titanium (specify hafnium content)-----	Lb	MINL	25	RO	A B O
610159	Zirconium alloys, containing more than 50 percent zirconium by weight (specify hafnium content)-----	Lb	NONF	25	RO	A B O
610159	Foil and leaf (less than 0.005 inch in thickness) (report paper backed foil in 480100): Beryllium foil-----	Lb	MINL	500	RO	A B O
610250	Columbium-----	Lb	NONF	100	RO	A
610250	Tantalum-----	Lb	NONF	100	RO	A
610250	Titanium-----	Lb	NONF	100	RO	A
610910	Metal manufactures, n. e. c., and parts n. e. c.: Iron and steel (specify by name): Fretting, nickel bearing stainless steel----- Other metals except precious (specify by name and type of metal): Copper and copper base alloy perforated plates and perforated sheets	Lb	STEE	100	RO	A
610950	Permanent magnets-----	Lb	NONF 15	100	RO	A O E
610950	Nickel catalysts-----	No	ODGS	None	RO	A B O F
610950	Zirconium manufactures (wholly of zirconium) (specify hafnium content)-----	Lb	NONF	100	RO	A B O F
610950	Zirconium alloy manufactures (wholly of zirconium alloys) containing more than 60 percent zirconium (specify hafnium content)-----	Lb	ODGS	None	RO	A B O F
610950		Lb	ODGS	None	RO	A B O F

¹ The GLV dollar value limit for shipments to Mexico is \$1,000.

² Electric conducting cable suitable for sweeping magnetic mines or for harbor defenses requires export authorization from the Department of State (see § 370.4 (a)).

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Valt. dated license required	Commodity lists for explanation of symbols in this column, see 'General Notes to Appendix A' in this section
	GROUP 6—METALS AND MANUFACTURES, EXCEPT MACHINERY AND VEHICLES—Continued					
	<i>Ferroalloys</i>					
622050	Ferrochrome, low carbon, containing a maximum of 0.03 percent carbon (specify chrome content).	Lb	MINL	100	R	A
622053	Ferromolybdenum (specify molybdenum content).	Lb	MINL	100	RO	A
622053	Ferrocolumbium (specify columbium content).	Lb	MINL	100	RO	A
622053	Ferrocolumbium tantalum (specify alloy content).	Lb	MINL	100	RO	A
622053	Ferroselenium (specify selenium content).	Lb	MINL	25	RO	B G
622053	Ferrosilicon, containing more than 60 percent silicon (specify hafnium content).	Lb	MINL	100	RO	A B O
622053	Ferrotantalum	Lb	MINL	100	RO	A
	<i>Aluminum ores, concentrates, scrap, and semifabricated forms</i>					
630030	Aluminum scrap (new and old)	Lb	NONF	500	RO	A O
630070	Aluminum slugs	Lb	NONF	300	RO	A
630070	Other aluminum metal and alloys in crude form (including ingots, pigs, blooms, and slabs). Aluminum alloy semifabricated forms in which: (1) The average copper content is 1 percent or more irrespective of other elements; (2) The average copper content is less than 1 percent and the zinc content is 4 percent or more, or the silicon content is 3.5 percent or more, or the magnesium content is 9.6 percent or more as follows: Aluminum sheets, corrugated----- Other aluminum plates and sheets, flat and coiled (0.005 inch and over in thickness) Aluminum bars and rods rolled or drawn (3/4 inch and over) (report extruded bars and rods in 630320; aluminum bus bars in 700490). Aluminum extruded and drawn shapes and tubes, except drawn bars, rods, and wire. Aluminum castings and forgings rough and semifinished. Aluminum wire (under 3/8 inch) and cable, bare, except welding rods and wire (specify by name) (report welding rods and wire in 610040). Aluminum semifabricated forms n. e. c. (specify by name)	Lb	NONF	100	RO	A O E
630301	Aluminum sheets, corrugated-----	Lb	NONF	100	RO	A O E
630301	Other aluminum plates and sheets, flat and coiled (0.005 inch and over in thickness)	Lb	NONF 12	100	RO	A O E
630310	Aluminum bars and rods rolled or drawn (3/4 inch and over) (report extruded bars and rods in 630320; aluminum bus bars in 700490).	Lb	NONF 12	100	RO	A O E
630320	Aluminum extruded and drawn shapes and tubes, except drawn bars, rods, and wire.	Lb	NONF	100	RO	A O
630340	Aluminum castings and forgings rough and semifinished.	Lb	NONF	100	RO	A O E
630610	Aluminum wire (under 3/8 inch) and cable, bare, except welding rods and wire (specify by name) (report welding rods and wire in 610040).	Lb	NONF	100	RO	A O
630630	Aluminum semifabricated forms n. e. c. (specify by name)	Lb	NONF	100	RO	A O
	<i>Copper ores, concentrates, scrap and semifabricated forms</i>					
640100	Copper matte, regulus, unrefined copper as blister or converter copper (copper content)	O lb	NONF	1,000	RO	A O
640100	Copper ore and concentrates (copper content)	O lb	NONF	1,000	RO	A O
641200	Copper rod for drawing (generally 641310)-----	Lb	NONF 15	1,000	RO	A O E
641200	Refined copper in cathodes, blanks, ingots, wire bars and other crude forms (include scrap) (report copper bars except wire bars in 642300)	Lb	NONF	1,000	RO	A O E
641200	Copper scrap (new and old).	Lb	NONF 13	1,000	RO	A O
641200	Other copper scrap-----	Lb	NONF 13	1,000	RO	A O
642300	Copper plates and tubes (report flexible tubing except electrical in 610040; flexible electrical conduit in 700430)	Lb	NONF 15	100	RO	A O E
642300	Copper plates, sheets and strips, including nickel-plated	Lb	NONF 15	100	RO	A O E
642400	Copper rods and bars, n. e. c. (report copper-veld rods in 642510; copper wire bars and rods in 641310; and copper bus bars in 700490)	Lb	NONF 15	100	RO	A O E

Dept. of Com merce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val- dated license re- quired	Commodity lists for (ex- planation of this column, see "General Notes to Ap pendix A" in this sec- tion)
	GROUP 6—METALS AND MANUFACTURES, EXCEPT MACHINERY AND VEHICLES—continued					
	<i>Copper-base alloys (including brass and bronze), scrap, and semifabricated forms</i>					
644000	Copper base alloy scrap (new and old)	Lb	NONE 13	1,000	RO	A O
644100	Copper base alloy ingots	Lb	NONE 15	1,000	RO	A O E
644100	Other copper base alloy crude forms (formery 644300)	Lb	NONE 15	100	RO	A O E
644000	Copper-base alloy bars, rods, and other shapes, extruded, rolled and drawn	Lb	NONE 15	100	RO	A O E
642900	Copper base alloy plates, sheets, and strips	Lb	NONE 15	100	RO	A O E
642900	Copper base alloy pipes and tubes (including pipe coils) (report flexible tubing, except electrical, in 640300; and flexible electrical conduit in 700400)	Lb	NONE 13	100	RO	A O E
647013	Copper base alloy castings, and forgings, rough and semi finished (specify copper content)	Lb	NONE	200	RO	A O E
	<i>Nickel ores, concentrates, scrap, and semifabricated forms</i>					
624201	Nickel ore, concentrates, and matte	Lb	NONE	100	RO	A A G
624202	Spent nickel catalyst	Lb	NONE	100	RO	A A G
624202	Other nickel metal in ingots, bars, rods, and other crude forms, and scrap	Lb	NONE	100	RO	A A G
624202	Nickel alloy metals in ingots, bars, rods, and other crude forms and scrap (report nickel alloy in 64000-64200)	Lb	NONE	100	RO	A A G
624204	Nickel metal sheets, plates and strips	Lb	NONE	100	RO	A A G
624204	Nickel alloy metal sheets, plates, and strips (re- port nickel alloy in 64000-64200)	Lb	NONE	100	RO	A A G
624203	Nickel-chromium-nickel resistance wire, except in- related (report insulated wire in 700310-700350)	Lb	NONE	100	RO	A A G
624210	Nickel and nickel alloy semifabricated forms, n. e. c. (specify by name and nickel content) (report cupronickel wire in 642710)	Lb	NONE	100	RO	A A G
	<i>Other nonferrous ores, concentrates, scrap and semifabricated forms (except precious)</i>					
624205	Beryllium: Ores and concentrates	Lb	MINL	500	RO	A B O
624205	Beryllium metal in crude form and scrap	Lb	MINL	500	RO	A B O
624205	Beryllium alloy in crude form and scrap (con- taining more than 50 percent beryllium (re- port beryllium copper in 64000-64200))	Lb	MINL	500	RO	A B O
624205	Beryllium metal semifabricated forms, n. e. c. (specify by name)	Lb	MINL	500	RO	A B O
624205	Beryllium alloy semifabricated forms, n. e. c. (specify by name) (report beryllium copper in 64000-64200)	Lb	MINL	500	RO	A B O
624205	Beryllium alloy residues and base beryllium	Lb	MINL	100	RO	A B O
624205	Metals and alloys	Lb	MINL	100	RO	A B O
624205	Colalt: Cobalt, dental alloys	Lb	MINL	100	RO	A B O
624205	Ores, concentrates, metal, and other alloys in crude form, and cobalt-bearing scrap metal (includes cobalt scrap containing 5 percent or more cobalt by weight)	Lb	MINL	100	RO	A B O
624205	Semifabricated forms, n. e. c. (specify by name)	Lb	MINL	100	RO	A B O

*Export authorization for thorium metals and alloys and uranium metal classified under Schedule B No 624553 is under the exclusive jurisdiction of the Atomic Energy Commis- sion

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GVY dollar value limits	Vali- dated license re- quired	Commodity lists (for explanation of symbols in this column, see General Notes to Appendix A, in this section)
	GROUP 7—MACHINERY AND VEHICLES					
	(See special provisions for Commodity Group 7, §§ 373.48-373.53; special destination provisions §§ 373.65-373.67)					
	Tools or devices incorporating diamonds, not included elsewhere on the Positive List (see § 373.49 (c))	No and Carat	TOOL	50	RO	A O
	Electrical machinery and apparatus					
700000	Generators, n. e. c., and parts n. e. c. (report aircraft, automobile, bus, truck, tractor and industrial engine generators in 700210-700220; generators for electric propulsion motors in 704330):	No	ELME 1	None	R	F
700000	Direct current generators, n. e. c., 5,000 up to but not including 10,000 kilowatts.	No	ELME 1	None	RO	A F
700100	Direct current generators, n. e. c. 10 000 kilowatts and over	No	ELME 1	None	R	F
700100	Alternating current generators n. e. c., 5,000 up to but not including 10 000 kilowatts.	No	ELME 1	None	RO	A F
700100	Alternating current generators, n. e. c. 10 000 kilowatts and over.	No	ELME 1	100	R	F
700150	Parts and accessories, n. e. c. specially fabricated for generators, 5,000 up to but not including 10 000 kilowatts (specify by name)	No	ELME 1	100	R	F
700150	Parts and accessories, n. e. c. specially fabricated for generators 10 000 kilowatts and over (specify by name)	No	ELME 1	100	RO	A F
700305	Steam turbine generator sets (turbogenerators):	No	ELME 1	None	R	F
700307	8,000 kilowatts up to and including 7,500 kilowatts.	No	ELME 1	None	RO	A F
700307	Over 7,500 kilowatts up to but not including 10,000 kilowatts.	No	ELME 1	None	RO	A F
700307	10,000 kilowatts and over	No	ELME 1	None	RO	A F
701022	Resistance welders 3 phase type only powered by electric welding sets powered by Diesel engines 5,000 up to but not including 10,000 kilowatts (report switchgear equipment not designed as part of the generator set, whether or not shipped simultaneously with the generator set in 703110-703300)	No	ELME 4 ELME 1	None	R	F
701105	Electric welding sets	No	ELME 1	None	RO	A F
701105	Rotating converters:	No	ELME 1	None	RO	A F
702725	Motor generator sets having motors of 500 up to but not including 5,000 horsepower.	No	ELME 1	None	R	F
702725	Motor generator sets having motors of 5,000 horsepower and over.	No	ELME 1	None	RO	A F
702725	Synchronous condensers, 5,000 up to but not including 10,000 kilowatts.	No	ELME 1	None	R	F
702725	Synchronous condensers 10 000 kilowatts and over.	No	ELME 1	None	RO	A F
702725	Electrical quantity and characteristic measuring and testing instruments, and parts (report automotive-type electrical testing instruments in 703150):	No	ELME 3 ELME 3	None	RO	A F
703620	Electrometers, except student type	No	ELME 3	None	RO	A F
703620	Galvanometers capable of measuring currents of less than 1 micro-microampere	No	ELME 3	None	RO	A F
	GROUP 7—MACHINERY AND VEHICLES—Continued					
	Electrical machinery and apparatus—Continued					
	Electrical quantity and characteristic measuring and testing instruments and parts—Continued					
	Other electrical quantity indicating instruments, nonrecording, n. e. c. except battery testers battery testing voltmeters and cell testers (specify by name)	No	ELME 3	25	RO	A F
	Electrical testing instruments, n. e. c. (specify by name) (report penetron gamma ray thick ness meters, and specially fabricated parts and accessories, n. e. c., in 700900).	No	ELME 3	25	RO	A F
	Parts, n. e. c., specially fabricated for electrometers, except student type.	No	ELME 3	25	RO	A F
	Other parts, n. e. c., specially fabricated for integrating meters (except watt-hour), electrical quantity indicating and recording instruments, and electrical testing instruments (specify by name) (report penetron gamma ray thickness meters, and specially fabricated parts and accessories n. e. c. in 700900).	No	ELME 3	25	RO	A F
	Motors and controls, n. e. c., and parts (report autodynes, selsyns, and other synchronous transmission systems in 700900):					
	Motors, except electric propulsion motors for land transportation vehicles:					
	Reversible type liquid cooled and totally enclosed, 1,000 horsepower and over.	No	ELME 2	None	RO	A F
	Other motors, 500 up to but not including 1,000 horsepower.	No	ELME 2	None	R	F
	Other motors, 5,000 horsepower and over...	No	ELME 2	None	RO	A F
	Electric propulsion motors, generators and controls for turbine locomotives general service (line), switching and industrial, of a gauge greater than 4 feet 8 inches (1.42 m) or with an individual axle load greater than 12 metric tons.	No	ELME 2	None	RO	A F
	Industrial motor controls (consisting of starting, speed regulating stopping and protecting devices), and parts:					
	Steel mill and other materials handling equipment controls, and specially fabricated parts and accessories, n. e. c. for motors 500 up to but not including 5,000 horsepower (specify by name).	No	ELME 2	100	R	F
	Steel mill and other materials handling equipment controls, and specially fabricated parts and accessories, n. e. c. for motors 5,000 horsepower and over (specify by name).	No	ELME 2	100	RO	A F
	Special purpose controls, n. e. c., and specially fabricated parts and accessories, n. e. c., for motors 500 up to but not including 5,000 horsepower (specify by name).	No	ELME 2	100	R	F
	Special purpose controls, n. e. c., and specially fabricated parts and accessories, n. e. c., for motors 5,000 horsepower and over (specify by name).	No	ELME 2	100	RO	A F
	Industrial motor controls, n. e. c., and specially fabricated parts and accessories, n. e. c., for motors 500 up to but not including 5,000 horsepower (specify by name).	No	ELME 2	100	R	F
	Industrial motor controls, n. e. c., and specially fabricated parts and accessories, n. e. c., for motors 5,000 horsepower and over (specify by name).	No	ELME 2	100	RO	A F

[illegible]

^a All outston line licenses for the expiration of the commodities issued by the Department of State prior to Jan 1, 1954 remain valid until they expire or are revoked.

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity lists (for explanation of symbols in this column, see 'General Notes to Appendix A' in this section)
GROUP 7—MACHINERY AND VEHICLES—CON						
<i>Engines, turbines and parts, n e c—Continued</i>						
709020	Electrical steel punchings, with a core loss of 0.6 watts per pound at 50 cycles per second or less, or with a thickness of 0.003 inches and less	Lb	STEE	100	RO	A
709098	Electrical apparatus, n e c and parts, n e c (specify by name): Resistance welding set parts 3 phase type only.		ELME 4	100	R	A F
709098	Coefficient resistors, negative temperature.		RARA 52	None	RO	A F
709098	Parts specially fabricated for synchronous condensers, 5,000 up to but not including 10,000 kilowatts.		ELME 1	100	R	A F
709098	Parts specially fabricated for synchronous condensers, 10,000 kilowatts and over.		ELME 1	100	RO	A F
709098	Parts specially fabricated for motor generator sets having motors of 500 up to but not including 5,000 horsepower.		ELME 1	100	RO	F
709098	Parts specially fabricated for motor generator sets having motors of 5,000 horsepower and over.		ELME 1	100	RO	F
709098	Searchlight control unit parts,-----		ELME 10	100	RO	A F
709098	Selsyns, autosyns and synchro motors		ELME 10	None	R	A F
709098	Thermistors		RARA	10	RO	A F
<i>Engines, turbines and parts, n e c</i>						
711310	Steam turbines and turbines, n e c, and parts, n e c:	No	GIEQ 9	None	RO	A
711410	Steam turbines, 2,000 horsepower and over (except those incorporated in generator sets)	No	ELME 1	200	RO	A F
711510	Water wheels and water turbines 2,000 horsepower and over.	No	GIEQ 9	None	RO	A
711510	Air turbines, except aircraft, 2,000 horsepower and over (specify horsepower).	No	GEIQ 9	None	RO	A
711510	Gas turbines except aircraft (specify horse power)	No	ELME 1	100	RO	A F
711900	Parts, n e c, specially fabricated for water wheels and water turbines 2,000 horsepower and over.		GIEQ 9	100	RO	A
711900	Parts, n e c, specially fabricated for steam or turbines, 2,000 horsepower and over (specify by name and horsepower)		GIEQ 9	100	RO	A
711900	Parts, n e c, specially fabricated for gas turbines except aircraft (specify horse power)		GIEQ 9	100	RO	A
713300	Power boilers (steam generators) and parts: Water tube, marine type (designed to operate at 450 p. s. i. g. or more (specify generating capacity in pounds of steam per square foot of tubular heating surface).		GIEQ 23	None	RO	A
713300	Water tube, stationary, having a capacity to generate 15,000 pounds of steam per hour or more at pressures more than 250 p. s. i. g.		GIEQ 23	None	R	A
713320	Parts, n e c, specially fabricated for power boilers included on the Positive List under Schedule B No. 713300 (report boiler tubes shipped as spares or replacements under tubular products according to material).		GIEQ 23	250	RO	A F
<i>Internal-combustion engines, n e c, and parts, n e c:</i>						
714500	Diesel and semi-diesel (specify brake horsepower and r. p. m.): Marine, 50 up to and including 200 brake horsepower (specify brake horsepower).	No.	TRAN	None	R	A F
714500	Marine, up to and including 200 brake horsepower, when the nonmagnetic content exceeds 50 percent of total weight.	No.	TRAN	None	RO	A F

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity lists (for explanation of symbols in this column, see 'General Notes to Appendix A' in this section)
GROUP 7—MACHINERY AND VEHICLES—CON						
<i>Engines, turbines and parts, n e c—Continued</i>						
714620	Internal combustion engines, n e c, and parts, n e c—Continued	No	TRAN 7	None	R	A
714620	Diesel and semi diesel (specify brake horse power and r. p. m.—Continued)	No	TRAN	None	RO	A
714640	Other marine, over 200, up to and including 500 brake horsepower (at normal speed) Injection type.	No	TRAN 7	None	R	A
714640	Marine, over 200 up to and including 500 brake horsepower, when the non magnetic content exceeds 50 percent of total weight.	No	TRAN	None	RO	A
714660	Marine, over 500 up to and including 1,000 brake horsepower (at normal speed) Injection type.	No	TRAN 7	None	RO	A
714710	Marine, over 1,000 brake horsepower (at normal speed) Injection type.	No	TRAN 7	None	R	A F
714720	Other, including tractor engines (specify brake horsepower and r. p. m.): 50 up to and including 200 brake horse power.	No	TRAN 7	None	R	A
714740	Over 200, up to and including 500 brake horsepower (at normal speed) Injection type.	No	TRAN 7	None	R	A
714760	Over 500, up to and including 1,000 brake horsepower (at normal speed) Injection type.	No	TRAN 7	None	RO	A
715900	Parts, n e c, specially fabricated for diesel engines 50 brake horsepower and over (specify type brake horsepower and r. p. m.)	No	TRAN	1,000	R	E F
<i>Construction, excavating, mining and related machinery</i>						
Power excavators and dredging machines, and parts:						
720117	Excavator type power cranes and shovels new (report used in 720160):	No	CONS 1	None	R	E
720122	Crawler or walker mounted, full revolving, convertible, over 5 cubic yards dipper capacity or over 100 tons crane lifting capacity, new.	No	CONS	None	RO	A
720122	Rubber tired mounted, including truck or wagon mounted, full revolving, convertible designed for airborne transport new.	No	CONS 1	None	R	E F
720127	Other rubber tired mounted, including truck or wagon, mounted, full revolving, convertible, over 1/2 cubic yard bucket capacity, or over 10 tons crane lifting capacity new.	No	CONS 1	None	R	E
720147	Full revolving unmounted over 5 cubic yard dipper capacity, or over 100 tons crane lifting capacity, new (specify by name) (report used in 720160; dredges fully equipped, as vessels in 730150).	No	MINE	None	R	A
720160	Power excavators and dredging machines (report used in 720160; dredges fully equipped, as vessels in 730150).	No	CONS	None	RO	A

Dept. of Com merce Schedule B No	Commodity	Unit	Processing code and related com- modity group	GLV dollar value limits	Vail- dated license to quired	Commodity lists (for ex- planation of this column, see "General Notes to Ap pendix A" in this sec- tion)
GROUP 7—MACHINERY AND VEHICLES—CON Construction, excavating, mining and related machinery—Continued						
720160	Power excavators and dredging machines, and parts—Continued Power excavators and dredging machines, used and rebuilt—Continued Other rubber tired mounted power cranes and shovels, including truck or wagon mounted, full revolving, over 1/2-cubic yard bucket capacity, or over 10 tons crane lifting capacity, used and rebuilt	No	CONS 1	None	R	E F
720160	Power cranes and shovels, full revolving, mounted and unmounted, over 1/2-cubic yard bucket capacity, or over 10 tons crane lifting capacity, used and rebuilt	No	CONS 1	None	R	E
720160 720210	Dredging machines, used and rebuilt— Parts, accessories, and attachments, n. e. c., specially fabricated for power cranes and shovels designed for airborne transport	No	MINE CONS	100 None	R RO	A A
720210	Parts, accessories and attachments, n. e. c., specially fabricated for rubber tired power cranes and shovels, including truck or wagon mounted, full revolving, over 1/2-cubic yard bucket capacity, or over 10 tons crane lifting capacity, except airborne	No	CONS 1	1,000	R	E F
720210	Parts, accessories and attachments, n. e. c., specially fabricated for power cranes and shovels, crawler and wheel mounted, full revolving, over 1/2-cubic yard bucket capacity, or over 10 tons crane lifting capacity, except airborne	No	CONS 1	1,000	R	E F
720210	Parts, accessories, and attachments, n. e. c., specially fabricated for dredging machines (specify by name)	No	MINE	1 000	R	A E
720220	Soll compressors with pneumatic-tired wheels, with rubber tires, 20 to 600 pounds or 15 tons, 160 brake horsepower and over	No	CONS 1	None	RO	A E
720224	Contractors' wheel type tractors, 4 wheel drive, 160 brake horsepower and over	No	CONS 1	None	RO	A E F
720224	Contractors' wheel type tractors, 4 wheel drive, 70 to 160 brake horsepower	No	CONS 1	None	R	E F
720224	Contractors' wheel type tractors, 2 wheel drive, 70 brake horsepower and over	No	CONS 1	None	R	E F
720227	Off the-road haulage vehicles (trucks, wagons and trailers) (report tractors separately under appropriate Schedule B number) Off the-road haulage vehicles (trucks, wagons and trailers), over 10-cubic-yard truck bed capacity (report tractors separately under appropriate Schedule B number) Construction and maintenance equipment, n. e. c., and specially fabricated parts, n. e. c.	No	CONS 1	None	R	E F
720245	Specially fabricated parts for contractors off-the-road haulage vehicles (trucks, wagons and trailers), over 10-cubic-yard truck bed capacity		CONS 1	200	R	E F
720245	Parts, accessories and attachments, n. e. c., specially fabricated for pneumatic tired roll over tractors, v. l. rating type, 15 tons net vehicle weight and over		CONS 1	None	RO	A E F
720245	Parts and accessories, n. e. c., specially fabricated for contractors' wheel type tractors, 4 wheel drive, 160 to 180 horsepower and over		CONS 1	700	RO	E F
720245	Parts and accessories, n. e. c., specially fabricated for contractors' wheel type tractors, 4 wheel drive, 70 to 160 brake horsepower		CONS 1	700	R	E F
720245	Parts and accessories, n. e. c., specially fabricated for contractors' wheel type tractors, 2 wheel drive, 70 brake horsepower and over		CONS 1	700	R	E F
GROUP 7—MACHINERY AND VEHICLES—CON Construction, excavating, mining and related machinery—Continued						
720370	Earth and rock drilling machines, n. e. c., and parts, n. e. c.	No	MINE 3	100	RO	A F
720376	Rock drill bits, core drill bits, and reamers (including well drilling machine bits and reamers)	No	MINE 3	100	RO	A O
720380 720390	Rock drill bits and reamers suitable for well drilling, containing tungsten carbide	No	MINE 3 MINE 3	100 500	RO RO	A F E F
720390	Other rock bits suitable for well drilling— Parts and accessories, n. e. c., specially fabricated for core drills	No	MINE 3	100	RO	A E F
720390	Parts and accessories, n. e. c., specially fabricated for earth and rock drill bits, core drill bits, and reamers (including well drilling machine bits and reamers) included on this Positive List under Schedule B Nos. 720370 through 720380 (report tool bit blanks and inserts in 690000 or 690001)	No	MINE 4	None	RO	A
720390	Well drilling machines, and parts (report oil country tubular products in 690000-690009)	No	MINE 4	700	RO	A E F
720390	Rock drill rigs (including truck or trailer mounted)	No	MINE 4	700	RO	A E F
720390	Parts and accessories, n. e. c., specially fabricated for rotary well drilling machines	No	MINE 4	700	RO	A E F
720390	Petroleum field production equipment, n. e. c., and specially fabricated parts, n. e. c. (specify by name) (report oil-country tubular products in 690000-690009)	No	MINE 4	700	RO	A E F
Machine tools						
720395	Power-driven metalworking machine tools (non portable) and parts	No	TOOL	700	RO	A
720395	Engines and center lathes over 18 inches center height and over 18 feet between centers	No	TOOL	700	RO	A
720395	Automatic vertical turret lathes	No	TOOL	700	RO	A
720395	Non-automatic vertical turret lathes with table diameter 72 inches and over	No	TOOL	700	RO	A
720395	Horizontal turret lathes, of lat capacity of 4 inches and over or swing-over-bed of 24 inches or more	No	TOOL	700	RO	A
720395	Automatic lathes, multipindle bar or chuck lathe	No	TOOL	700	RO	A
720395	Gun-boring lathes, cartridge-lathes shell lathes, gun barrel trepanning lathes, gun turret lathes	No	TOOL	700	RO	A
720395	Spinning lathes except those with spindle drive motor of 10 horsepower or less	No	TOOL	700	RO	A
720395	Automatic multi-spindle (over 10) machines	No	TOOL	700	RO	A
720395	Automatic vertical boring and turning mills	No	TOOL	700	RO	A
720395	Non-automatic vertical boring and turning mills with table diameter 72 inches and over	No	TOOL	700	RO	A
720395	Right angle (V) lathes (table and over)	No	TOOL	700	RO	A
720395	Eight angles lathes (table and over)	No	TOOL	700	RO	A
720395	Combination lathe, drilling and milling machines, especially designed for mobile mill lathes, especially designed for mobile mill lathes	No	TOOL	700	RO	A
720395	Jet engine compressor core boring lathes	No	TOOL	700	RO	A
720395	Jet engine compressor and turbine disc turning lathes	No	TOOL	700	RO	A
720395	Jet boring machines	No	TOOL	700	RO	A
720395	Bomb nose and tail boring machines	No	TOOL	700	RO	A

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated license re- quired	Commodity lists (for ex- planation of symbols in this column, see "General Notes to Appendix A" in this section)
GROUP 7—MACHINERY AND VEHICLES—CON						
Machine tools—Continued						
740409	Power-driven metalworking machine tools (non portable), and parts—Continued	No	TOOL	500	RO	A
740604	Boring machines, production types, capable of an accuracy of 0.01 inch or better	No	TOOL	500	RO	A
740800	Shell tappers	No	TOOL	500	RO	A
740800	Aircraft skin milling machines	No	TOOL	500	RO	A
740800	Thread milling machines, 6 inch work diameter at the thread and over	No	TOOL	500	RO	A
740800	Spar millers	No	TOOL	500	RO	A
740800	Planer millers	No	TOOL	500	RO	A
740800	Planer and planer-milling machines with capacity of work pieces 48 inches wide and over or 16 feet long and over	No	TOOL	500	RO	A
740800	Die sinking machines	No	TOOL	500	RO	A
740800	Profiling machines for marine and aircraft propeller blades	No	TOOL	500	RO	A
740800	Profiling and duplicating milling machines—Horizontal spindle bed type automatic milling machines with tables 20 inches wide and over and/or 48 inches long and over	No	TOOL	500	RO	A
741100	Gear cutting machines, except hobbing machines or less than 48 inches maximum work diameter or less	No	TOOL	500	RO	A
742300	Deep hole drilling machines	No	TOOL	500	RO	A
742600	Planing machines with capacity for work pieces of 48 inches wide and over or 16 feet long and over	No	TOOL	500	RO	A
744000	Roll grinding machines (machines fitted with or capable of being fitted with cambering devices only)	No	TOOL	500	RO	A
744000	Crankshaft crankpin camshaft grinders with capacity for shafts 48 inches long and over, except those not exceeding 5 tons total weight and designed for or equipped with wheel head motor not exceeding 12 horse power	No	TOOL	500	R	A
744100	Internal grinding machines incorporating high frequency (over 60 cycles) spindles; and high frequency spindles and spindles assemblies	No	TOOL	500	RO	A
744100	Internal cylindrical grinding machines as follows: centerless; automatic feed; automatic sizing; or with any other automatic features	No	TOOL	500	R	A
744205	Grinding machines for broaching tools automatic cycle, automatic sizing	No	TOOL	500	RO	A
744303	Gear grinding machines except those of a non generating type	No	TOOL	500	RO	A
744305	Honing and lapping machines (except gear) with multiple work stations	No	TOOL	500	RO	A
744306	Thread grinding machines	No	TOOL	500	RO	A
744308	Contour profile grinders	No	TOOL	500	RO	A
744308	Automatic oscillating race radial grinders	No	TOOL	500	RO	A
744309	Profiling grinders for marine and aircraft propeller blades	No	TOOL	500	RO	A
744309	Jig grinders	No	TOOL	500	RO	A
744313	Horizontal boring-drilling-milling machines (combination units)	No	TOOL	500	RO	A
744315	External surface broaching machines	No	TOOL	500	RO	A
744316	Rifling and rifle working machines	No	TOOL	500	RO	A
744317	Gear-honing, lapping and gear finishing machines, n. e. c. (specify type)	No	TOOL	500	RO	A
744319	Contour hand sawing and band filing machines (a) capable of using blades less than 4/16 inch wide, (b) designed to permit operation to select rate of cutting speed and to vary such speed while in operation, and to maintain at all times the desired rate of speed with a variation of less than 2 percent.	No	TOOL	500	R	A
GROUP 7—MACHINERY AND VEHICLES—CON						
Machine tools—Continued						
744319	Power driven metalworking machine tools (non portable), and parts—Continued	No	TOOL	500	RO	A
744319	Machines and equipment specially designed for making or measuring gas turbine blades (Report conventional machines used for this work under appropriate Schedule B No.)	No	TOOL	500	R	A
744340	Multi-station machine tools in which the work piece is indexed or transferred successively from station to station	No	TOOL	250	RO	A E F
744340	Parts for metalworking machinery included on the Positive List classified in Schedule B numbers 740005 through 744319, for which validated license is required to R and O country destinations	No	TOOL	250	R	A E F
744340	Parts for metalworking machinery included on the Positive List under Schedule B No 744319 for which validated license is required to R country destinations only	No	TOOL	250	R	A E F
744381	Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)	No	TOOL	250	RO	A E F
744383	Accessories and attachments, n. e. c., for power-driven nonportable machine tools, n. e. c.: Metal cutting tools and specially fabricated parts, n. e. c. for machine operation (not incorporating industrial diamonds) (specify by name) (report metal cutting dies incorporating industrial diamonds in 745003)	No	TOOL	250	RO	A E F
744383	Hollow deep hole drills; surface broaching tools	No	TOOL	250	RO	A E F
744383	Accessories and attachments, n. e. c., for machine tools and specially fabricated parts, n. e. c.: Attachments for center and capstan lathes milling machines and vertical boring machines which make them capable of producing and duplicating	No	TOOL	250	RO	A E F
744383	Jigs and fixtures, military type, and specially fabricated parts thereof (report assembling jigs, and fixtures and accessories thereof in 745003)	No	TOOL	100	RO	A E
744383	Other accessories and attachments for use on types of machine tools machinery included on the Positive List, 740005 through 744319, except bench presses, parallel vice blocks, tool holders (other than screw machine), miscellaneous centers, drill pads and catch centers; work clamping dogs; test bolts; clamps; and mandrels	No	TOOL	200	RO	A E F
744410	Metalworking presses and specially fabricated parts, n. e. c.	No	TOOL	500	RO	A
744410	Special machinery for the working and forming of sheet, plate or extrusions for aircraft and specially fabricated parts, n. e. c.	No	TOOL	500	RO	A
744410	Presses, mechanical or hydraulic, with rated pressures of over 1 000 tons and specially fabricated parts, n. e. c.	No	TOOL	500	R	A
744410	Presses, mechanical or hydraulic, with rated pressures 1 000 tons or less and specially fabricated parts, n. e. c.	No	TOOL	500	RO	A
744450	Machinery for the working and forming of sheet and plate and specially fabricated parts, n. e. c.	No	TOOL	500	RO	A

Dept. of Com merce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated license re- quired	Commodity lists (for ex- planation of symbols in this column, see "General Notes to Appen- dix A," in this sec- tion)
GROUP 7—MACHINERY AND VEHICLES—CON						
	<i>Metalworking machines, n. e., parts and accessories (including accessories and attachments for machine tools)—Continued</i>					
444700	Forging machinery, and specially fabricated parts, n. e.; Forging hammers as follows: (a) Having falling weight exceeding 3 tons; (b) steam, air or mechanical hammers of rated size exceeding 2½ tons, and specially fabricated parts		TOOL	\$600	RO	A
444700	Special machinery for working and forming of aircraft extrusions, and specially fabricated parts		TOOL	\$600	RO	A
444700	Presses, mechanical or hydraulic, with rated pressures over 1,000 tons, and specially fabricated parts		TOOL	\$600	RO	A
444700	Presses, mechanical or hydraulic, with rated pressures 1,000 tons or less and specially fabricated parts		TOOL	\$600	R	A
444700	Fabrication machinery, and specially fabricated parts		TOOL	\$600	RO	A
444700	Bomb tests and tail forging machines and specially fabricated parts, n. e.		TOOL	\$100	RO	A
444700	Forging machines capable of operating on bar stock of a diameter exceeding 3½" or equivalent cross section, and specially fabricated parts		TOOL	\$600	RO	A
444900	Rolling mill machines and specially fabricated parts, n. e.		TOOL	\$600	RO	A
445000	Foundry equipment, and parts: Molding machines, artillery casting..... Artillery die-casting machines and specially fabricated parts, n. e. Artillery centrifugal-exacting machines, and specially fabricated parts, n. e.	No	TOOL TOOL TOOL	\$60 \$60 \$60	RO RO RO	A A A
445200	Parts and accessories for molding machines, artillery casting.	No	TOOL	\$60	RO	A
445200	Diamant wire drawing dies (or eddy corals). ... Machinery for drawing and/or tempering: (a) Wire 60/8 inch in diameter or less; or (b) tubing, 60/3 inch in diameter or less, and specially fabricated parts.	No	TOOL TOOL	\$60 \$60	RO RO	A A
445300	Machines for flame hardening.....		TOOL	\$60	RO	A
445400	Equipment designed for removing surplus metal from workpieces as follows: (a) By deceleration of electric sparks from a charged electrode; (b) By applying ultrasonic vibrations; or (c) By abrading action means in combination with electric heating and refrigerating equipment, n. e., and parts, n. e.; (electrode, gas nozzle and kerf-cutting).		TOOL	\$60	RO	A
445400	Reciprocating pumps, etc., units of 600 horsepower or more with delivery pressure of 450 p.s.i.g. or more.	No	GIEQ	None	RO	A
445700	Centrifugal refrigerating units of 200 horsepower or more with delivery pressure of 450 p.s.i.g. or more.	No	GIEQ	None	RO	A
445800	Blowers (turbo, centrifugal, and axial-flow types) and parts wholly made of or lined with, aluminum, nickel, or alloy containing 60 percent or more nickel		GIEQ	\$100	RO	A F
GROUP 7—MACHINERY AND VEHICLES—CONT						
	<i>Metalworking machines, n. e., parts and accessories (including accessories and attachments for machine tools)—Continued</i>					
760000	Air conditioning and refrigerating equipment, n. e., and parts, n. e.—Continued					
760000	Conditioning and refrigerating equipment included on Positive List under Schedule B Nos. 760000 through 760710 for foreign assembly or manufacture.					
760000	Parts, n. e., specially fabricated for air conditioning and refrigerating equipment included on Positive List under Schedule B Nos. 760000 through 760710 for replacement, recording, and/or controlling instruments, n. e., and specially fabricated parts, n. e. (for measuring and/or controlling temperature, pressure, level, flow, humidity, chemical properties and variables) specify brand name.					
760000	Continuous measuring pH equipment, whether separate or as components of other pH equipment (also full specifications).					
760000	Vacuum gauges ionization type and specially fabricated parts.					
760000	Electronic or electrical process control instruments.					
760000	Other industrial process indicating, recording or controlling instruments, and specially fabricated parts, n. e.					
760000	Physical properties testing and inspecting machines, n. e., and specially fabricated parts and accessories, n. e.; (specify type).					
760000	Oscilloscope, and specially fabricated parts, n. e., (specify type).					
760000	Geophysical and mineral prospecting equipment, n. e., and specially fabricated parts, n. e., (specify type).					
760000	Ball bearings including all components, and specially fabricated parts except dynamic balls (report separate rolls in 763310) (see 763310, Int. 2)					
760000	Roller bearings including all components, and specially fabricated parts except separate rollers (report separate rolls in 763310) (see 763310, Int. 2).					
760000	Rolls for bearings (see 763310, Int. 2).					
760000	Rollers for bearings (see 763310, Int. 2).					
760000	Wear plates for compressors which bear on surfaces made with Buna N compounds.					
760000	Air compressors:					
760000	Stationary, cut away not over 25 cubic feet.					
760000	Turbo, centrifugal, and axial flow types of compressors having all flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel (specify type, capacity, inlet pressure, discharge pressure and whether all flow contact surfaces are made of aluminum, nickel, or alloy containing 60 percent or more nickel)					

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related modify group	GLV dollar value limits	Valued license required	Commodity lists (for explanation of symbols in this column, see 'General Notes to Appendix A' in this section)
GROUP 7—MACHINERY AND VEHICLES—CON						
<i>Metallworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued</i>						
770625	Gas compressors, n. e. c.: Centrifugal, axial, rotary, and reciprocating compressors as follows: (a) Having a main stream internal air flow exceeding a machine number of 0.7; (b) a capacity over 35 300 c. f. m. and a compression ratio of 2:1, or more; (c) capable of handling a mass flow of 2,500 pounds per minute, or more, and designed for an intake pressure above atmospheric; (d) flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel; (e) designed for a delivery pressure of 450 p. s. i. g. or over, and requiring 300 horsepower, or over, (specify type, capacity, inlet pressure, discharge pressure, horse power, whether all flow-contact surfaces are made of aluminum, nickel, or alloy containing 60 percent or more nickel, and if meeting requirements of (a) the machine number.)	No	CONS 2	None	RO	A E F
770630	Parts, n. e. c., specially fabricated for air and gas compressors included on the Positive List under Schedule B Nos 770400 through 770625. (Complete knockdown compressors should be reported in the proper compressor classification, whether the integral components are shipped simultaneously or in a series of partial shipments.)					
770700	Blowers, n. e. c., turbo blowers, and parts: Centrifugal blowers (except turbo blowers) as follows: (a) Capacity over 35 300 c. f. m. and compression ratio 2:1, or more; (b) capable of handling a mass flow of 2,500 pounds per minute, or more, and designed for intake pressure above atmospheric; (c) flow contact surfaces made of aluminum, nickel, or alloy containing 60 percent or more nickel; (d) designed for a delivery pressure of 450 p. s. i. g. or over and requiring 300 horse power, or over. (Specify type, capacity, inlet pressure, discharge pressure, horse power, and whether all flow-contact surfaces are made of aluminum, nickel, or alloy containing 60 percent or more nickel.)	No	CONS 2	500	RO	A E F
770710	Axial blowers (except turbo blowers) as follows: (a) Capacity over 35 300 c. f. m. and compression ratio 2:1, or more; (b) capable of handling a mass flow of 2,500 pounds per minute, or more, and designed for intake pressure above atmospheric; (c) flow contact surfaces made of aluminum, nickel, or alloy containing 60 percent, or more, nickel; (d) designed for a delivery pressure of 450 p. s. i. g. or over, and requiring 300 horse power, or over. (Specify type, capacity, inlet pressure, discharge pressure, horse power, and whether all flow-contact surfaces are made of aluminum, nickel, or alloy containing 60 percent or more nickel.)	No	CONS 2	500	RO	A E F
GROUP 7—MACHINERY AND VEHICLES—CON						
<i>Metallworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued</i>						
770600	Stationary, capacity over 25 cubic feet: Centrifugal, axial, rotary and reciprocating compressors as follows: (a) Having a main stream internal air flow exceeding a machine number of 0.7; (b) a capacity over 35 300 c. f. m. and a compression ratio of 2:1, or more; (c) capable of handling a mass flow of 2,500 pounds per minute, or more, and designed for an intake pressure above atmospheric; (d) flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel; (e) designed for a delivery pressure of 450 p. s. i. g. or over and requiring 300 horsepower, or over. (Specify type, capacity, inlet pressure, discharge pressure, horse power, whether all flow-contact surfaces are made of aluminum, nickel, or alloy containing 60 percent or more nickel, and if meeting requirements of (a) the machine number.)	No	CONS 2	None	RO	A E F
770610	Portable, capacity under 60 cubic feet: Turbo, centrifugal, and axial flow types of compressors having all flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel (specify type, capacity inlet pressure, discharge pressure, and whether all flow-contact surfaces are made of aluminum, nickel, or alloy containing 60 percent or more nickel.)	No	CONS 2	500	RO	A E F
770615	Portable, capacity 60 cubic feet, and over: Centrifugal, axial, rotary, and reciprocating compressors as follows: (a) Having a main stream internal air flow exceeding a machine number of 0.7; (b) a capacity over 35 300 c. f. m. and a compression ratio of 2:1, or more; (c) capable of handling a mass flow of 2,500 pounds per minute, or more, and designed for an intake pressure above atmospheric; (d) flow contact surfaces made of aluminum, nickel or alloy containing 60 percent or more nickel; (e) designed for a delivery pressure of 450 p. s. i. g. or over, and requiring 300 horse power, or over. (Specify type, capacity, inlet pressure, discharge pressure, horse power, whether all flow-contact surfaces are made of aluminum, nickel, or alloy containing 60 percent or more nickel, and if meeting requirements of (a) the machine number.)	No	CONS 2	None	RO	A E F

Dept. of Com. Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated license re- quired	Commodity lists (for ex- planation of symbols in this column, see "General Notes to Ap- pendix A" in this sec- tion)
	GROUP 7—MACHINERY AND VEHICLES—con Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued					
77020	Blowers, n. e. c., turbo blowers, and parts—Con Turboblowers, as follows: (a) Having a main stream internal air flow exceeding a main number of 0.7; (b) a capacity over 36,300 c. f. m. and a compression ratio of 2:1, or more; (c) capable of handling a mass flow of 2,600 pounds per minute, or more, and designed for an intake pressure above atmosphere; (d) flow contact surfaces made of aluminum, nickel, or alloy containing 50 percent or more chromium; (e) designed for a delivery pressure of 420 p. s. i. or over (specify type, capacity, inlet pressure, discharge pressure, horsepower, whether all flow-contact surfaces are made of aluminum, nickel, or alloy containing 50 percent or more nickel, and if meeting requirements of (a) the mach number); (f) the mach number.	No	CONS 2	500	RO	A B O E F
77075	Blowers, n. e. c., as follows: (a) Having a main stream internal air flow exceeding a main number of 0.7; (b) a capacity over 36,300 c. f. m. and a compression ratio of 2:1, or more; (c) capable of handling a mass flow of 2,600 pounds per minute, or more, and designed for an intake pressure above atmosphere; (d) flow-contact surfaces made of aluminum, nickel, or alloy containing 50 percent or more nickel; (e) designed for a delivery pressure of 420 p. s. i. or over, and requiring 300 horse power, or over (specify type, capacity, inlet pressure, discharge pressure, horsepower, whether all flow-contact surfaces are made of aluminum, nickel, or alloy containing 50 percent or more nickel, and if meeting requirements of (a) the mach number); (f) the mach number.	No	CONS 2	500	RO	A E F
77075	Forc., n. e. c., specially fabricated for blowers included on the negative list under Schedule B Nos. 77020 through 77075. (Complete knockdown blowers should be reported in the proper blow or classification, whether the internal components are supplied separately or in a series of partial equipments.)	No	CONS 2	500	RO	A E F
77050	Mechanical vacuum pumps capable of producing a vacuum of 6 mm. of mercury pressure and greater.	No	QIEQ	None	RO	A B O
77050	Diffusion vacuum pumps, less than 5 inches in diameter (diameter measured inside the barrel at the inlet jet).	No	QIEQ	None	RO	A
77050	Diffusion vacuum pumps, 5 inches in diameter up to but not including 12 inches in diameter (diameter measured inside the barrel at the inlet jet).	No	QIEQ	None	RO	A B O

* Export authorization for diffusion vacuum pumps, 12 inches and larger in diameter, classified under Schedule B number 77050 is under the exclusive jurisdiction of the Atomic Energy Commission. See § 370.4 (d).

Dept. of Com. Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated license re- quired	Commodity lists (for ex- planation of symbols in this column, see "General Notes to Ap- pendix A" in this sec- tion)
	GROUP 7—MACHINERY AND VEHICLES—con Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued					
77000	Pumping equipment, n. e. c. (specify type or pump by generic name according to following classifications): Centrifugal pumps (delivering liquids separately or in combination with solids and/or gases) when: (1) Designed to produce pressures of 420 p. s. i. or more and with a delivery capacity exceeding 300 c. f. m.; (2) having all flow contact surfaces made of any of the following materials: (a) 50 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; (e) polychloroethylene or polytetrafluoroethylene (specify type, capacity in R. P. M., delivery pressure and kinds of materials); (f) the mach number. Turbine pumps (delivering liquids separately or in combination with solids and/or gases) when: (1) Designed to produce pressures of 420 p. s. i. or more and with a delivery capacity exceeding 300 c. f. m.; (2) having all flow-contact surfaces made of any of the following materials: (a) 50 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; (e) polychloroethylene or polytetrafluoroethylene (specify type, capacity in R. P. M., delivery pressure and kinds of materials); (f) the mach number. Rotary pumps, delivering liquid is separately or in combinations with solids and/or gases) when: (1) Designed to produce pressures of 420 p. s. i. or more and with a delivery capacity exceeding 300 c. f. m.; (2) having all flow-contact surfaces made of any of the following materials: (a) 50 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; (e) polychloroethylene or polytetrafluoroethylene (specify type, capacity in R. P. M., delivery pressure and kinds of materials); (f) the mach number.	No	CONS 3	None	RO	A E F
77030	Turbine pumps (delivering liquids separately or in combination with solids and/or gases) when: (1) Designed to produce pressures of 420 p. s. i. or more and with a delivery capacity exceeding 300 c. f. m.; (2) having all flow-contact surfaces made of any of the following materials: (a) 50 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; (e) polychloroethylene or polytetrafluoroethylene (specify type, capacity in R. P. M., delivery pressure and kinds of materials); (f) the mach number.	No	CONS 3	None	RO	A E F
77050	Rotary pumps, delivering liquid is separately or in combinations with solids and/or gases) when: (1) Designed to produce pressures of 420 p. s. i. or more and with a delivery capacity exceeding 300 c. f. m.; (2) having all flow-contact surfaces made of any of the following materials: (a) 50 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; (e) polychloroethylene or polytetrafluoroethylene (specify type, capacity in R. P. M., delivery pressure and kinds of materials); (f) the mach number.	No	CONS 3	None	RO	A E F

Dept. of Com. Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val. dated license required	Commodity lists for explanation of symbols in this column see 'General Notes to Appendix A' in this section
	GROUP 7—MACHINERY AND VEHICLES—CON <i>Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued</i>					
770930	Pumping equipment, n. e. c.—Continued Diaphragm pumps (delivering liquids separately or in combination with solids and/or gases) having all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) polytetrafluoroethylene or polytrifluoroethylene (specify type and kind of material)	No	CONS 3	None	RO	A E F
770940	Reciprocating steam pumps (delivering liquids separately or in combination with solids and/or gases) when: (1) Designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 300 g. p. m.; (2) having all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) polytetrafluoroethylene or polytrifluoroethylene (specify type and kind of material)	No	CONS 3	None	RO	A E F
770950	Other reciprocating pumps (delivering liquids separately or in combination with solids and/or gases) when: (1) Designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 300 g. p. m.; (2) having all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) polytetrafluoroethylene or polytrifluoroethylene (specify type and kind of material)	No	CONS 3	None	RO	A E F
770960	Pumps, n. e. c., (delivering liquids separately or in combination with solids and/or gases) when: (1) Designed to move molten metals by electromagnetic forces; (2) designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 300 g. p. m.; (3) having all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium, or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy); (d) 10 percent or more chromium or nickel, either separately or combined; or (e) polytetrafluoroethylene or polytrifluoroethylene (specify type and kind of material)	No	CONS 3	None	RO	A E F
	GROUP 7—MACHINERY AND VEHICLES—CON <i>Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued</i>					
770993	Parts, n. e. c., specially fabricated for pumps included on the Positive List under Schedule B Nos. 770900 through 770980 (Complete knockdown pumps should be reported in the proper pump classifications, whether the integral components are shipped simultaneously or in a series of partial shipments)		CONS 3	500	RO	A E F
770995	Parts, n. e. c., specially fabricated for vacuum pumps included on the Positive List under Schedule B Nos. 770920 through 770970 (Complete knockdown pumps should be reported in the proper pump classifications, whether the integral components are shipped simultaneously or in a series of partial shipments)		GIEQ	None	RO	A
771120	Jet ejector, and specially fabricated parts n. e. c. (specify type)		GIEQ 22	None	RO	A
771140	Condensers, tubular (heat exchanger type), designed to operate at pressures of 300 p. s. i. and above and with flow contact surfaces made of any of the following materials: aluminum, nickel, titanium, zirconium, or alloys containing 50 percent or more nickel, and specially fabricated parts therefor (report under pumps except according to material)		GIEQ	100	RO	A B
771200	Heat exchangers (except refrigeration type) and steam specialty heaters, and specially fabricated parts n. e. c. (specify by name)		GIEQ 23	250	RO	A
771200	Boiler superheaters, feedwater heaters, economizers, and specially fabricated parts or boilers designed to operate at 450 p. s. i. g. or more		GIEQ 23	250	R	A
771200	Boiler superheaters, feedwater heaters, economizers, and specially fabricated parts, for stationary boilers designed to operate at pressures more than 250 p. s. i. g. and less than 450 p. s. i. g.		GIEQ	100	RO	A B
774420	Tubular heat exchangers designed to operate at pressures of 300 p. s. i. and above and with flow contact surface made of any of the following materials: Aluminum, nickel, titanium, zirconium, or alloys containing 50 percent or more nickel, and specially fabricated parts therefor (report tubing shipped as spares or replacements under tubular products according to material)		GIEQ 5	50	RO	A B O
774430	Pipe valves except automatic control or regulating: Iron or steel: Valves and cocks fitted with bellows seal, wholly made of or lined with aluminum, nickel, or alloy containing 50 percent or more nickel. Other valves and cocks having all flow contact surfaces made of any of the following materials: (a) 90 percent or more tantalum, titanium or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy), chromium or nickel, either separately or combined; (d) polytetrafluoroethylene; polytrifluoroethylene (specify type and kind of material)	No.	GIEQ 5	50	RO	A E

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GIV dollar value limits	Val.-dated license required	Commodity lists for (explanation of symbols in this column see "General Notes" Appendix A in this section)
GROUP 7—MACHINERY AND VEHICLES—CON						
<i>Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued</i>						
774035	Pipe valves, except automatic control or regulating—Continued	No	GIEQ 5	50	RO	A B O
774035	Brass, bronze or other nonferrous metals; Valves and cocks fitted with bellows seal, lined with aluminum, nickel, or alloy containing 50 percent or more nickel; Other valves and cocks having all flow contact surfaces made of the following materials: (a) 90 percent or more tantalum, titanium or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy), chromium or nickel, either separately or combined; (d) polytetrafluoroethylene (Kel-F); polytetrafluoroethylene (Teflon) (give full specification).	No	GIEQ 5	50	RO	A E
774035	Nonmetal valves: Nonmetal valves and cocks having all flow contact surfaces made of polytetrafluoroethylene (Kel-F) or polytetrafluoroethylene (Teflon).	No	GIEQ 5	50	RO	A E
774035	Automatic control or regulating valves, n. e. c. (any pipe valve having a mechanical part, internal or external, directly attached by adaptor and bolts, or wholly internal, for automatically regulating or controlling its operation).	No	GIEQ 5	50	RO	A E
774035	Automatic control valves having all flow contact surfaces made of any of the following materials: (a) 50 percent or more tantalum, titanium or zirconium, either separately or combined; (b) 50 percent or more cobalt or molybdenum, either separately or combined; (c) 10 percent or more silicon (as metal alloy), chromium or nickel, either separately or combined; (d) polytetrafluoroethylene (Kel-F); polytetrafluoroethylene (Teflon) (give full specification) except the following: (a) Check, nonreturn and heat valves; (b) pressure relief valves designed for working pressures of less than 450 p. s. i.; (c) kilograms per square centimeter); (d) valves and cocks specially designed for milling machines and for electrical heated transfer and home freezers.	No	GIEQ 5 GIEQ 5	50 50	RO RO	A B O A E
774035	Automatic control valves, fitted with bellows seal, wholly made of or lined with aluminum.	No	GIEQ 5	50	RO	A B O
774035	Parts, n. e. c., specially fabricated for pipe valves included on the Schedule B list in the Schedule B Nos. 774035 through 774039 (same Schedule B number of valve for which parts are in trade). Valve rise, type, working pressure, and whether parts are for a valve having pressure parts wholly made of or wholly lined with aluminum, brass, bronze, or other nonferrous metal.	No	GIEQ 17	100	RO	A B O
774035	Vacuum tubes (glass bulb) making machinery (except other machinery in 774039)					
GROUP 7—MACHINERY AND VEHICLES—CON						
<i>Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued</i>						
774035	Optical curve generators (grinders surfaces and polishers), and parts, capable of producing toric, cylinder, spherical surfaces on glass or other material without the use of mating surfaces or laps (report parts containing diamonds as instructed in § 373.40 (c)).					
774035	Electronic, fluorescent, and incandescent bulb and tube (lamp) manufacturing and assembling machines, and specially fabricated parts, n. e. c. (report bulb and tube glass blank making machines in 774039).					
774035	Petroleum refining equipment, n. e. c., and parts: Bubble towers and distillation columns.... Pipe assemblies, specially fabricated for petroleum refining equipment.	No Lb				
774035	Petroleum refining equipment, n. e. c., (specially fabricated parts, n. e. c., (specially by name).					
774035	Chemical and pharmaceutical processing and manufacturing machines, n. e. c., and specially fabricated parts, n. e. c. (report spinning pumps in 774039; report furnaces under appropriate Schedule B No. according to type of furnace, e. g., electric melting and refining furnaces for the production of chemicals, 774149).					
774035	Automatic concentrating equipment					
774035	Electrolytic cells for production of chemical products					
774035	Equipment for the production or refining of hydrocarbons other than petroleum by processes involving distillation, thermal cracking, catalytic cracking, and reforming units, isomerization, aromatization, dehydroaromatization, hydrogenation, and polymerization.					
774035	Gas (including refrigerating equipment and liquid gases) specially fabricated equipment for handling liquid gases.					
774035	Equipment for the electrolytic production of hydrogen.					
774035	Hydrogenation equipment designed to operate under pressure of 500 p. s. i. or over.					
774035	Nitration....					
774035	Other equipment chemical processing....					
774035	Piping specially fabricated for chemical and pharmaceutical processing and manufacturing machines, and made of or lined with polytetrafluoroethylene (Teflon) or polytrifluoroethylene (Kel-F).					
774035	Specially fabricated parts, n. e. c., for the chemical and pharmaceutical processing and manufacturing machines listed above for which valid license is required to R and O country destinations.					
774035	Deionizing or ion-exchange units employing resins, for demineralization and treatment of water					

* All working pressures are based on tests with water at a temperature not exceeding 125° F.

RULES AND REGULATIONS

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val-dated license required	Commodity lists for (explanation of symbols in this column see General Notes to Appendix A in this section)
	GROUP 7—MACHINERY AND VEHICLES—CON					
	<i>Metalworking machines, n. e. c., parts and accessories (including accessories and attachments for machine tools)—Continued</i>					
775100	Nonelectric industrial furnaces, kilns, lehrs, and bins and ovens (report electric furnaces in 770416-770422): Complete furnaces for the production of titan metal (including titanium tetrachloride)	No	MINE 5	None	RO	A O
775140	Carbon black furnaces, controlled atmosphere types (intermittent or continuous)	No	MINE 5	None	RO	A O
775160	Cast iron shafts for roasting furnaces (pyrillo roasters)		MINE 5	None	R	
775180	Specialty fabricated parts, n. e. c., for carbon black furnaces and controlled atmosphere equipment		MINE 5	1,000	RO	
775190	Specialty fabricated components and parts, n. e. c., for furnaces for the production of titanium metals		MINE 5	1,000	RO	
775800	Separators and collectors industrial process type, n. e. c., and specialty fabricated accessories and parts, n. e. c. (specify by name) (report ore and coal separating machines in 730750; and electrostatic precipitators, preclon type, in 770790): Centrifugal counter current solvent extractors and specialty fabricated parts, n. e. c. Centrifuge bowls wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel. Centrifuges, electric, wholly made of or lined with aluminum, nickel, or alloy containing 60 percent or more nickel. Industrial manufacturing and service industries machines, n. e. c., and specialty fabricated parts, n. e. c. (specify by name): Assembling jigs, and fixtures and accessories therefor, for military equipment (report jigs and fixtures for machine tools under 744383).		GIEQ 1 GIEQ 1 GIEQ 1	100 250 250	RO RO RO	A B A B O A B O
775908	Machines used for applying insulating separators to the inner conductor of air spaced coaxial electric cable.	No	GIEQ	None	RO	A E
775909	Machines used for applying metal strip or sheet to form the outer conductor of coaxial electric cable.	No	TOOL	500	RO	A
775993	Piping, specially fabricated, for industrial manufacturing and service industries machines, n. e. c., and made of or lined with polytetrafluoroethylene (Teflon) or poly-trifluorochloroethylene (Kaf E)		GIEQ 1 GIEQ 1	500 None	RO RO	A A B O G
775998	Tractors parts and accessories					
785100	Tractors (except contractors wheel type, and industrial type) (report horsepower rating according to Nebraska maximum test or manufacturer's equivalent) (report contractors' wheel type in 72024; industrial type in 72030): Tractorless tractors, navy. 110 drawbar horsepower and over. Tractorless tractors, used and rebuilt. 110 drawbar horsepower and over. Parts and accessories, n. e. c., specially fabricated for tractorless tractors. Horsepower and over (report attachments in 72030)	No	CONS 1 CONS 1 CONS 1	None None 500	R R R	E F E F E F

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Val-dated license required	Commodity lists for (explanation of symbols in this column see General Notes to Appendix A in this section)
	GROUP 7—MACHINERY AND VEHICLES—CON					
	<i>Automobiles, trucks, buses and trailers, parts accessories and service equipment</i>					
790013	Motor trucks and truck chassis, including truck tractors (new), n. e. c. (G. V. W. or gross vehicle weight is the greatest weight of vehicle in load which the manufacturer authorizes and guarantees the vehicle to accommodate with safety under normal conditions of operation) (specify type of body, if mounted): Gasoline (new): 5,000 pounds g. v. w. and under: Commercial, front and rear axle drive, or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790017	5,001 to 10,000 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790023	10,001 to 14,000 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790027	14,001 to 16,000 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790033	16,001 to 19,500 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790037	19,501 pounds g. v. w. and over: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790043	Diesel and semi-diesel (new): 19,500 pounds g. v. w., and under: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790047	19,501 pounds g. v. w. and over: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790053	Motor buses and bus chassis (new) (specify passenger capacity of body if mounted): Gasoline (new): Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790057	5,000 pounds g. v. w. and under: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790063	5,001 to 10,000 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790067	10,001 to 14,000 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790083	14,001 to 16,000 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790087	16,001 to 19,500 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790093	19,501 pounds g. v. w. and over: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790097	Diesel and semi-diesel (new): 19,500 pounds g. v. w., and under: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790333	Motor buses and bus chassis (new) (specify passenger capacity of body if mounted): Gasoline (new): Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790337	5,000 pounds g. v. w. and under: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A
790363	5,001 to 10,000 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 2	None	RO	A E
790367	10,001 to 14,000 pounds g. v. w.: Commercial, front and rear axle drive or multiple rear axle drive. Military, front and rear axle drive or multiple rear axle drive.	No	TRAN 5	None	RO	A

[illegible]

in Sec. 370.4 (a) for ordinance vehicles designated in Schedule B Nos. 701167-701167 requiring expert authorization from the Department of State.

Dept. of Commerce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated license re- quired	Commodity lists for (ex- planation of this column see "General Notes to Ap- pendix A" in this sec- tion)
GROUP 7—MACHINERY AND VEHICLES—CON <i>Railway transportation equipment</i>						
700109	Locomotives, railroad service except switching type (include combination road and switch- ing type) (report electrical rating and in- dustrial locomotives in 705560): Locomotives, turbine type, general service (line) of a gage greater than 4 feet 8 inches (1.42 m.) or with an individual axle load greater than 12 metric tons, new.	No	TRAN 11	None	RO	A
700111	Locomotives, turbine type, switching type of a gage greater than 4 feet 8 inches (1.42 m.) or with an individual axle load greater than 12 metric tons, new.	No	TRAN 11	None	RO	A
700112	Locomotives, turbine type industrial, of a gage greater than 4 feet 8 inches (1.42 m.) or with an individual axle load greater than 12 metric tons, new.	No	TRAN 11	None	RO	A
700117	Used and rebuilt locomotives, turbine type, general service (line) switching or industrial type of a gage greater than 4 feet 8 inches (1.42 m.) or with an individual axle load greater than 12 metric tons.	No	TRAN 11	None	RO	A
700139	Well cars with a load capacity 80 tons and over.	No	TRAN 12	None	R	A
700148	Used and rebuilt well cars with a load capacity over 80 tons.	No	TRAN 12	None	R	A
700154	Parts, for locomotives and railway cars (report electric propulsion motors, generators and controls in 704330; wheels and axles in 610515-610539): Frames, cradles, bolsters, or beds for turbine locomotives of a gage greater than 4 feet 8 inches (1.42 m.) or with an axle load greater than 12 metric tons		TRAN 11	100	RO	A
700172	Parts and accessories, n. e. c., specially fab- ricated for turbine locomotives of a gage greater than 4 feet 8 inches or with an in- dividual axle load greater than 12 metric tons.		TRAN 11	1,000	RO	A E
700182	Parts and accessories, n. e. c., specially fab- ricated for well cars with a load capacity over 80 tons.		TRAN 12	1,000	R	A E
700186	Centralized traffic control (CTC) systems of railway signaling and specially fabricated parts n. e. c.		TRAN	100	RO	A
GROUP 8—CHEMICALS AND RELATED PRODUCTS (See special provisions for Commodity Group 8, §§ 373.64-373.68; special destination pro- visions §§ 373.65-373.67)						
<i>Coal-tar products</i> (Including Similar Cyclic Products Derived from Petroleum Natural or Other Sources)						
801190	Toluene or toluol (all grades).	Lb	COTA	100	R	A B F
802370	Coal tar intermediates except coal tar acids: Diphenylamine Other coal tar intermediates (specify by name):	Lb	COTA 61	100	RO	A F
802380	Dinitrotoluene solids and oils	Lb	COTA 61	100	RO	A F
802390	Ethyl benzene	Lb	COTA 61	100	RO	A F
802390	Picric acid	Lb	COTA 61	100	RO	A F
GROUP 8—CHEMICALS AND RELATED PRODUCTS—Continued <i>Coal tar products—Continued</i>						
800908	Finished coal tar products, n. e. c. exclusive of medicines (specify by name): Ethyl acetate Methyl acetate Stabilizers for explosives n. e. c. 2-nitrodiphenylamine	Lb	COTA	None	RO	A F
800908	Medicinal and pharmaceutical preparations	Lb	COTA	None	RO	A F
800908	Biologics (all forms): Gamma-globulin, human (immune serum globulin poliomyelitis immune globulin, etc.);	Lb	COTA	None	RO	A F
800908	Chemical specialties Agricultural sulfur, n. e. c. (report ground sulfur, unconditioned for use on plants or soil in 571500): Agricultural sulfur dusts and spray concen- trates containing 85 percent or more sulfur, such as but not limited to, conditioned dusting sulfur and wettable sulfur (specify by name) Ion exchange resins as water softeners or puri- fiers.	Lb	AGOH 2	100	R	
824000	Plastics and resin materials: Synthetic resins in all unfinished and semi- finished forms, except laminated, and except film and sheeting (report laminated plastics in 820010 and 820030; film and sheeting in 820080; manufactured plastic products in 981510-981590; monofilaments for weaving into fabrics in 384050-384082; and woven fabrics in 384083): Polyvinyl butyral un compounded Polyvinyl butyral, compounded Polyvinyl butyral, in semifinished forms (specify form). Synthetic resins, n. e. c., in all unfinished forms, including scrap, except laminated and except film and sheeting: Tetrafluoroethylene (Teflon) Polytrifluoroethylene (Kaf F) Ion exchange resins. Polyethylene (specify whether virgin or scrap). Silicates Plastic films and sheeting, including printed, embossed, planished or otherwise treated surfaces.	Lb	RESN 66	100	R	B O F
825422	Polyvinyl butyral un compounded	Lb	RESN 66	100	R	E F
825424	Polyvinyl butyral, compounded	Lb	RESN 66	100	R	E F
825427	Polyvinyl butyral, in semifinished forms (specify form).	Lb	RESN 66	100	R	E F
825920	Tetrafluoroethylene (Teflon)	Lb	RESN 66	100	R	A B C F G
825920	Polytrifluoroethylene (Kaf F)	Lb	RESN 66	100	R	A B C F G
825920	Ion exchange resins.	Lb	RESN 66	100	R	A B C F G
825920	Polyethylene (specify whether virgin or scrap).	Lb	RESN 66	100	R	A F
825920	Silicates	Lb	RESN	100	R	F
825920	Plastic films and sheeting, including printed, embossed, planished or otherwise treated surfaces.	Lb	RESN	100	R	F
825930	Tetrafluoroethylene (Teflon)	Lb	RESN	1	RO	A B C F G
825930	Polytrifluoroethylene (Kaf F)	Lb	RESN	1	RO	A B C F G
825930	Polyethylene (specify whether virgin or scrap).	Lb	RESN 63	100	RO	A B C F G
825930	Methyl methacrylate, clear	Lb	RESN 66	100	RO	A F
825930	Synthetic film for dielectric use, 0.0015 inch (0.038 mm.) or less in thickness.	Lb	RESN 66	15	RO	A F

Dept. of Com merce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vall- dated license re quired	Commodity lists for (ex- planation of symbols in this column see "General Notes to App pendix A," page 10, in this sec- tion)
	GROUP 8—CHEMICALS AND RELATED PRODUCTS—Continued <i>Chemical specialties—Continued</i>					
	Plastics and resin materials.—Continued. Laminated and molded laminated plastics made with synthetic resins and var nishes as a binder: Other laminated and molded plastics, in cluding all shapes solely made there from:	Lb Lb Lb Lb	RESN RESN RESN 63 RESN 68	1 1 100 100	RO RO RO RO	A A F A B O F G F
220930	Polytetrafluoroethylene (Teflon).....	Lb	RESN	1	RO	A B O F G
220930	Polytrifluorochloroethylene (Kel F)....	Lb	RESN	1	RO	A B O F G
220930	Polyethylene (specify whether virgin or scrap).	Lb	RESN 63	100	RO	F
220930	Methyl methacrylate, clear.....	Lb	RESN 68	100	RO	F
	Cellulose plastic materials (report manu- factured plastic products in 831010 and 831030): Cellulose acetate, cellulose acetate butyrate, cellulose acetate propionate and other cellulose esters: For other uses (including film support and base material), rods, tubes, coating and sheeting cut pieces, and other undischarged forms: 0.0015 inch (0.03 mm.) or less in thickness: Cellulose acetate, 0.0015 inch (0.03 mm.) or less in thickness: Organic rubber compounding agents not of coal tar origin (report rubber compounding agents of coal tar origin in 832310-832330): Accelerators containing selenium..... Antiknock compounds except of petroleum origin (report compounds of petroleum origin in 831430). Additives for lubricating and fuel oils (including oil agents added to motor oils, diesel and fuel oils, engine oils and greases to increase their effectiveness) (including but not limited to combustion catalysts containing cobalt and diethyl oil extender improvers). Radicalactive ketone, compounds and prepa rations thereof, radium emanation (radon), and radium salts and compounds, all forms (including radium needles and radium ore concentrate) (state in item comment (report paints containing radium in 833590). Reagent chemicals for laboratory use (C, P, U, S, T, M, F, N, A, C, K, or other reagents reagent grades only for which export controls on other products are indicated elsewhere on the Positive List (specify by name))	Lb Lb Lb Lb Lb Gal Gal Gal	RESN RESN PETR PETR DRUG ORGN COTA COTA SALT	1 1 25 25 None Expert controls applicable to each chem ical unit in item com ment (see the explanation of symbols in the Positive List) 25 25 100	RO RO RO RO None Expert controls applicable to each chem ical unit in item com ment (see the explanation of symbols in the Positive List) RO RO R	F F A B E F A B E F B F F A B C F B O F A E F
220930	Silicone diffusion pump oils.....	Gal	COTA	25	RO	A B C F
220930	Other diffusion pump oils... enabling the attainment of vacuum of 10–6 mm. of mercury pressure absolute in a single stage diffusion pump).	Gal	COTA	25	RO	B O F
220934	Hydraulic fluids Synthetic hydraulic fluids of ester oil base)	Gal	SALT	100	R	A E F

11 For instructions on reporting metal shipping containers see Schedule B Nos 610011 and 610012
12 For instructions on reporting metal shipping containers see Schedule B Nos 610013 and 610014.

2. A single shipment hereunder may include two or more chemicals each up to its GLV limit

Dept. of Com merce Schedule B No	Commodity	Unit	Processing code and related commodity group	GIY dollar value limits	Vali- dated license re- quired	Commodity lists for (ex- planation of this column see General Notes to Ap- pendix A in this sec- tion)
GROUP 8—CHEMICALS AND RELATED PRODUCTS—continued						
<i>Industrial chemicals (exclusive of medicinal chemicals U S P and N F)—Continued</i>						
830520	Gases, compressed, liquefied and solidified ex- cept liquefied petroleum gases:					
830580	Fluorine		SALT	100	RO	B O F
830590	Bromine trifluoride		SALT	100	RO	B O F
830590	Chlorine trifluoride		SALT	100	RO	B O F
830730	Hydrogen peroxide or dioxide (50 percent strength and over)	Lb	SALT 64	None	RO	A F
	Metal salts of organic compounds, except paint and varnish driers (specify by name) (report cobalt salts of organic compounds):					
830750	Lead stannate (lead trifluorostannate)	Lb	SALT 64	100	RO	A F
830750	Nickel salts of organic compounds	Lb	SALT 65	25	RO	A F
830750	Selenium salts of organic compounds (specify selenium content)	Lb	SALT	25	RO	B F G
	Other industrial chemicals:					
830900	Actinium-bearing salts and compounds		SALT	None	RO	B O F
830900	Barium nitrate		SALT 64	100	RO	A F
830900	Beryllium salts and compounds (including but not limited to, beryllium oxide, beryl- lum nitrate, beryllium sulfate, beryllium carbonate, zinc beryllium silicate)	Lb	MINL SALT	100	RO	A F
830900	Calcium molybdate		SALT	100	RO	B O F
830900	Cobalt compounds (report cobalt salts of or- ganic compounds in 830750; cobalt contain- ing pigments in 842000; and cobalt contain- ing paint and varnish driers in 843000)		SALT	None	RO	B O F
830900	Deuterium and deuterium compounds in- cluding heavy water		SALT	None	RO	B O F
830900	Gallium salts and compounds		SALT	None	RO	B O F
830900	Germanium compounds		SALT	None	RO	B O F
830900	Lead azide		SALT 64	25	RO	A F
830900	Lead thiocyanate		SALT 64	25	RO	A F
830900	Lithium salts and compounds		SALT	100	RO	B O F
830900	Magnesium oxide, purity 97 percent or higher		SALT	100	RO	A B O
830900	Mercury compounds		SALT	100	RO	A F
830900	Molybdenum salts and compounds, n. e. c.		SALT 64	100	RO	A F
830900	(Report molybdenum oxide molybdenum trioxide, and molybdenic acid, except chemi- cally pure grade in 843500; report chemically pure grade in 843500)					
830900	Nickel compounds		SALT 65	100	RO	A B F
830900	Potassium salts and compounds		SALT	None	RO	B O F
830900	Selenium salts and compounds, including selenium dioxide (specify selenium content)	Lb	SALT 65	25	RO	A B O F
830900	Tantalum compounds (including oxides and silicates (state hafnium content))	Lb	SALT 64	1	RO	A B O F
<i>Pigments, paints and varnishes</i>						
842310	Chemical pigments:					
842310	Carbon black contact (including channel)	Lb	PLAT 72	100	R	E F
842310	Carbon black furnace	Lb	PLAT 72	100	R	E F
842300	Chemical pigments, n. e. c.:					
842300	Cobalt oxide pigments	Lb	SALT	100	R	A F
842300	Selenium containing pigments (specify selenium content)	Lb	SALT	25	RO	B F G
842300	Tetrafluoroethylene (Teflon) finishes and enamels	Gal.	PLAT	1	RO	A B O F G
842300	Polytrifluorochloroethylene (Kel F) dispersion	Gal.	PLAT	1	RO	A B C F G
GROUP 9—MISCELLANEOUS						
(See special provisions for Commodity Group 9 §§ 373 59-373 64; special destination provisions §§ 373 65-373 67)						
<i>Photographic and projection goods</i> ¹²						
900233	High speed cameras capable of recording at rates in excess of 250 frames per second, ¹³ cameras ¹⁴	No		None	RO	A F
900233	Photomicrographic oscillograph and similar cameras ¹⁵	No		None	RO	A F
900600	Parts, n. e. c., specially fabricated for high speed cameras capable of recording at rates in excess of 250 frames per second ¹⁶			25	RO	A F
900600	Accessories and parts, n. e. c., specially fabri- cated for photomicrograph oscillograph and similar cameras			100	RO	A F
900600	Micro flash equipment capable of giving a flash 1/100,000 second or shorter duration or with a frequency of 200 flashes or more per second			25	RO	A F
902300	Lenses for photomicrographic, oscillograph, and similar cameras, and high speed cameras capable of recording at rates in excess of 250 frames per second	No		None	RO	A F
<i>Scientific and professional instruments ap- paratus and supplies n. e. c.</i>						
914950	Microscopes, and specially fabricated accessories and parts, n. e. c.:	No		None	RO	A B O F
	Electron microscopes, and the following parts therefor: (a) Electron guns; (b) electron objective projection and condenser lenses (magnetic or electrostatic).					
914950	Dental instruments equipment supplies and parts:					
914950	Diamond disk points and other dental instru- ments containing diamonds (see § 373 49 (c))	--		None	RO	A O F

¹² All outstanding licenses issued by the Department of State prior to Jan. 1 1934 remain valid until they expire or are revoked.

¹³ Many of the explosives under Schedule B No 860700 require export authorization from the Department of State See § 370 4 (a).

¹⁴ See § 370 4 (a) for photographic goods which require export authorization from Department of State

Dept. of Com merce Schedule B No	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Vali- dated license re quired	Commodity lists for ex- planation of symbols in this column see General Notes to Appendix A in this sec- tion
GROUP 9—MISCELLANEOUS—continued						
	<i>Scientific and professional instruments, appa- ratus, and supplies, n. e. c.—Continued</i>					
010025	Map reproduction equipment; stereoscopic plotting and photo interpolation equipment.	No	SATE 52	None	RO	F
010025	Parts, n. e. c., specially fabricated for map reproduction equipment; stereoscopic plot- ting; and photo interpolation equipment.	No	SATE 52	60	RO	F
010029	Photo theodolites, and specially fabricated parts, n. e. c. ¹²	No	SATE	25	RO	RO
010030	Depth recorders ————— for depth recorders	No	SATE	None	RO	RO
010030	Compasses and gyroscopic equipment n. e. c.	No	SATE	None	RO	RO
010030	Parts, n. e. c., specially fabricated for com- passes and gyroscopic equipment. ¹¹	No	SATE	None	RO	RO
010030	Balloons, 1100 grams or more, envelope weight delated, capable of free flight but nonper- son carrying.	No	RUBR	None	RO	A
010010	Radio-codes ————— for radio codes.	No	SATE	None	RO	RO
010010	Parts, n. e. c., specially fabricated for radio codes.	No	SATE	None	RO	RO
010030	Spectrophotometers, except glocimeters and reflectometers (includes monochromators (formerly 010030), spectroscopes and spec- trographs, including X-ray type). ¹³	No	SATE	None	RO	RO
010030	Parts, n. e. c., specially fabricated for spec- trophotometers, except parts for glocimeters and reflectometers (including diffraction gratings (primary standards), and infrared absorp- tion meters). ¹⁴	No	SATE	None	RO	RO
010030	Fluorophotometers (quarimeters) employing ultra-violet light as the exciting source and photo-multiplier tubes or photo-cells as detecting and amplifying devices. ¹⁵	No	SATE	None	RO	RO
010030	Parts, n. e. c., specially fabricated for fluo- rophotometers (quarimeters) employing ultra- violet light as the exciting source and photo- multiplier tubes or photo-cells as detecting and amplifying devices.	No	SATE	None	RO	RO
010030	Microphotometers ————— for micro photometry.	No	SATE	None	RO	RO
010030	Parts, n. e. c., specially fabricated for spec- trographs.	No	SATE	None	RO	RO
010030	Parts, n. e. c., specially fabricated for spec- trographs.	No	SATE	None	RO	RO
010030	Balances, electronic, capable of detecting differ- ences in weight smaller than 10 micrograms.	No	SATE	None	RO	RO
010030	Balances, n. e. c., of a sensitivity capable of de- tecting differences in weight of 10 micrograms or less.	No	SATE	None	RO	RO
010030	Research laboratory apparatus and equipment, n. e. c., and specially fabricated parts, n. e. c.; parts for electronic balances capable of de- tecting differences in weight smaller than 10 micrograms.	No	SATE	None	RO	RO
010030	Parts, n. e. c., specially fabricated for bal- ances of a sensitivity capable of detecting differ- ences in weight of 10 micrograms or less.	No	SATE	None	RO	RO
010030	Relatrons —————	No	SATE	None	RO	RO
010030	Synchrotrons —————	No	SATE	None	RO	RO
010030	Parts, n. e. c., specially fabricated for rela- trons and synchrotrons	No	SATE	None	RO	RO
11 All outstanding licenses issued by the Department of State prior to Jan. 1, 1954, remain valid until they expire or are revoked.						
12 All outstanding licenses for exportation of spectrometers issued by the Atomic Energy Commission remain valid until they expire or are revoked.						
13 All outstanding licenses for exportation of spectrometers issued by the Atomic Energy Commission remain valid until they expire or are revoked.						
14 All outstanding licenses for exportation of spectrometers issued by the Atomic Energy Commission remain valid until they expire or are revoked.						
15 All outstanding licenses for exportation of spectrometers issued by the Atomic Energy Commission remain valid until they expire or are revoked.						

11 Parts for armored vehicles or carriers requires export authorization from the Department of State. See § 370.4 (a)

12 Parts for armored vehicles or carriers requires export authorization from the Department of State. See § 370.4 (a)

13 Parts for armored vehicles or carriers requires export authorization from the Department of State. See § 370.4 (a)

14 Parts for armored vehicles or carriers requires export authorization from the Department of State. See § 370.4 (a)

15 Parts for armored vehicles or carriers requires export authorization from the Department of State. See § 370.4 (a)

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar-value limits	Validated license required	Commodity lists for (explanation of symbols in this column see "General Notes to Appendix A" in this section)
	GROUP 9—MISCELLANEOUS—continued					
	Miscellaneous commodities, n. e. c.—Continued					
	Commodities exported for relief or charity by individuals and private agencies (the following classifications are not used for exports for relief or charity by governmental agencies (United States, foreign, and international) except for exports of used clothing by such agencies, which are reported under 999820. All other exports (including new clothing) by governmental agencies are reported under their specific Schedule B numbers):					
999810	Food.....					
999820	Clothing.....					
999830	Blankets and bedding.....					
999840	Drugs and biological supplies.....					
999850	Surgical, sanitary, and hospital supplies, equipment and parts.					
999860	Ambulances and other motor equipment, and parts (specify by name).					
999890	Commodities exported for relief or charity by individuals and private agencies, n. e. c. (specify by name).					
999910	General merchandise valued at less than \$25.... This commodity number is applied to: (a) All single items of Schedule B commodities valued at less than \$25. (b) All totals of Schedule B commodities, single items of which are valued at less than \$25, including shipments to postmasters or other agents for distribution at destination.					

Export controls applicable to each commodity under these classifications are those which apply to the commodity when exported commercially under its individual Schedule B number.

Export controls applicable to each commodity under these classifications are those which apply to the commodity when exported under its individual Schedule B number.

This amendment shall become effective as of August 26, 1954, except that with respect to commodities to which the letters "B" "C" "E" or "F" have been added in the column headed "Commodity Lists" it shall become effective as to such requirements as of September 28, 1954, and except with respect to commodities to which the letter "A" has been added in the column headed "Commodity Lists", it shall become effective as to such requirements as of October 11, 1954.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations or whose GLV dollar value limit has been reduced by this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., September 7, 1954, may be exported under the previous general license provisions up to and including September 28, 1954. Any such shipment not laden aboard the exporting carrier on or before September 28, 1954, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Supp. 2023, E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director
Bureau of Foreign Commerce.

[F. R. Doc. 54-7583; Filed, Sept. 27, 1954; 8:50 a. m.]

[7th Gen. Rev. of Export Regs., Amdt. 8¹]

PART 371—GENERAL LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 378—FOREIGN DISTRIBUTION (FD) LICENSE

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

MISCELLANEOUS AMENDMENTS

1. Section 371.2 General provisions paragraph (c) Applicability is amended

¹ This amendment was published in Current Export Bulletin No. 737, dated September 16, 1954, and in the reprint pages, dated September 16, 1954.

in the following particulars: In subdivision (ii) of subparagraph (1) *Prohibited shipments* the parenthesis beginning "See § 373.60" is deleted.

2. Section 371.3 *General license country groups* paragraph (a) *Grouping of countries* is amended in the following particulars:

a. In subparagraph (1) the entries for "Haiti (including Gonave and Tortue Islands)" and for "Chile (including the islands Sala-y-Gomez, Juan Fernandez, San Felix, San Ambrosio, and Easter Island)" are amended to read respectively as follows:

Haiti (including Gonave and Tortuga Islands).

Chile (including the islands Sala-y-Gomez, Juan Fernandez, San Felix, San Ambrosio, and Easter Island).

b. Subparagraph (2) is amended to read as follows:

(2) Country Group R includes and consists of all countries and other destinations not included in Country Group O, except Canada (including Newfoundland and Labrador) Within Country Group R there is established Subgroup A, which includes and consists of the following countries and other destinations:¹

Albania.

Bulgaria.

China, including Manchuria (and excluding Taiwan (Formosa)) (includes Inner Mongolia; the provinces of Tsinghai and Sikkang; Sinkiang; Tibet; the former Kwantung Leased Territory, the present Port Arthur Naval Base Area and Liaoning Province).

Communist-controlled area of Viet Nam and the Hanoi-Haiphong Enclave.

Czechoslovakia.

East Germany (Soviet Zone of Germany and the Soviet Sector of Berlin).

Estonia.

Hungary.

Latvia.

Lithuania.

North Korea.

Outer Mongolia.

Poland and Danzig.

Rumania.

Union of Soviet Socialist Republics.

c. The note following paragraph (a) remains unchanged.

3. Section 371.7 *General license GO; shipments to Group O destinations* paragraph (b) *Footnotes on Positive List* is amended in the following particulars:

a. In Examples No. 1 and No. 2 of the note following paragraph (b) the words "carbon steel tube rounds" and "carbon steel tube rounds, Schedule B No. 601810" are deleted, and the words "boron carbide" and "boron carbide, rounds, Schedule B No. 541140" inserted.

b. The remainder of the note is unchanged.

4. Section 371.23 *General License GHK, shipments of certain commodities to Hong Kong* is amended to read as follows:

§ 371.23 *General License GHK; Shipments of certain commodities to Hong Kong.* A general license designated GHK is hereby established authorizing the exportation to Hong Kong of commodities listed below:

¹ Further explanation of the areas indicated is contained in "Schedule O" appearing on pages x-xv of Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States, and amendments thereto.

Schedule B No	Commodity	Commodity	Schedule B No
001000-001000	Animals, edible	Cotton semimanufactures except cotton pulp	300310-301320
002000-002000	Meat and meat products.	Cotton manufactures:	301510-301600
003000-003000	Animal oil and fats, edible	Sewing thread, crochets, darning and embroidery cotton	302300-302300
004000-004000	Dairy products.	Unbleached (gray) cloth:	303110-303110
005000-005000	Fish and fish products	Cotton duck (canvases)	303600-303600
006000-006000	Other edible animal products.	Carved goods, except fine carved.	304000-304000
007000-007000	Hides and skins raw, except furs:	Carved goods, except fine carved.	304000-304000
008000-008000	Sheep skins, dry and wet.	Carved goods, except fine carved.	304000-304000
009000-009000	Lamb skins, dry and wet.	Carved goods, except fine carved.	304000-304000
010000-010000	Other hides and skins, raw	Carved goods, except fine carved.	304000-304000
011000-011000	Leather:	Carved goods, except fine carved.	304000-304000
012000-012000	Upper leather except cattle and kip side upper and calf and whole kip	Carved goods, except fine carved.	304000-304000
013000-013000	Lining leather.	Carved goods, except fine carved.	304000-304000
014000-014000	Other leather and tanned skins, except sole leather (bends, backs, and side), boot and shoe cut	Carved goods, except fine carved.	304000-304000
015000-015000	stock, belting leathers for industrial belts, and sole, welting and belting leather offal	Carved goods, except fine carved.	304000-304000
016000-016000	Leather manufactures:	Carved goods, except fine carved.	304000-304000
017000-017000	Boots, shoes, and other footwear except men's new boots and shoes with leather uppers	Carved goods, except fine carved.	304000-304000
018000-018000	Leather gloves and mittens.	Carved goods, except fine carved.	304000-304000
019000-019000	Other leather manufactures except wetting (008000) and industrial belts and belting (008000)	Carved goods, except fine carved.	304000-304000
020000-020000	Other inedible animals and animal products:	Carved goods, except fine carved.	304000-304000
021000-021000	Animals.	Carved goods, except fine carved.	304000-304000
022000-022000	Feathers, crude, dressed, and manufactures thereof, except waste	Carved goods, except fine carved.	304000-304000
023000-023000	Other animal products, inedible, n. e. c.	Carved goods, except fine carved.	304000-304000
024000-024000	Grains and preparations, except starches (103500-103500) and rice (104000-104000)	Carved goods, except fine carved.	304000-304000
025000-025000	Vegetables and roots, n. e. c.	Carved goods, except fine carved.	304000-304000
026000-026000	Vegetables and preparations	Carved goods, except fine carved.	304000-304000
027000-027000	Fruits and preparations	Carved goods, except fine carved.	304000-304000
028000-028000	Vegetable oils, fats, and waxes, refined.	Carved goods, except fine carved.	304000-304000
029000-029000	Vegetable oils, fats, and waxes, crude.	Carved goods, except fine carved.	304000-304000
030000-030000	Cocoa, coffee, tea and substitutes	Carved goods, except fine carved.	304000-304000
031000-031000	Sugar and related products:	Carved goods, except fine carved.	304000-304000
032000-032000	Glucose, liquid, except pharmaceutical.	Carved goods, except fine carved.	304000-304000
033000-033000	Syrup for table use and edible molasses.	Carved goods, except fine carved.	304000-304000
034000-034000	Honey.	Carved goods, except fine carved.	304000-304000
035000-035000	Candy.	Carved goods, except fine carved.	304000-304000
036000-036000	Chewing gum.	Carved goods, except fine carved.	304000-304000
037000-037000	Beverages and related products.	Carved goods, except fine carved.	304000-304000
038000-038000	Rubber (natural, allied gums, and synthetics) and manufactures:	Carved goods, except fine carved.	304000-304000
039000-039000	Balata, gutta percha, and other crude allied gums.	Carved goods, except fine carved.	304000-304000
040000-040000	Rubber and rubberized pieces, fabrics, and sheeting, n. e. c. except of synthetic rubber.	Carved goods, except fine carved.	304000-304000
041000-041000	Rubber boots and shoes, and canvas shoes with rubber soles.	Carved goods, except fine carved.	304000-304000
042000-042000	Rubber and rubberized gloves and mittens, except surgeons' gloves, and pieces and mittens of synthetic rubber.	Carved goods, except fine carved.	304000-304000
043000-043000	Bathing caps.	Carved goods, except fine carved.	304000-304000
044000-044000	Rubber toys, balls, and novelty balloons, except dolls, golf and tennis balls.	Carved goods, except fine carved.	304000-304000
045000-045000	Hard rubber goods, not specially fabricated for particular machines or equipment, except electrical	Carved goods, except fine carved.	304000-304000
046000-046000	Hard rubber goods.	Carved goods, except fine carved.	304000-304000
047000-047000	Solid lines, except track and industrial.	Carved goods, except fine carved.	304000-304000
048000-048000	Rubber tiling and flooring.	Carved goods, except fine carved.	304000-304000
049000-049000	Natural and synthetic rubber manufactures, n. e. c., not specially fabricated for particular machines	Carved goods, except fine carved.	304000-304000
050000-050000	or equipment, the following only: organic craters; basin plugs; bath plugs; beach bags; buffers	Carved goods, except fine carved.	304000-304000
051000-051000	bumpers; caps for military racks; chair floor tank balls; conveyor chucks; cord undershees,	Carved goods, except fine carved.	304000-304000
052000-052000	rubber-impregnated; cushions; deer bumpers; deer weatherstrips; reclaimed rubber; decorative	Carved goods, except fine carved.	304000-304000
053000-053000	car parts (except undercoats); rubber linings; rubber linings; rubber linings; rubber linings;	Carved goods, except fine carved.	304000-304000
054000-054000	penal plugs; eye guards; eyeglasses; grips; gun craters; of vegetable oils; hand pads; hand stamps;	Carved goods, except fine carved.	304000-304000
055000-055000	hand grips; hat bags for hat manufacturers; head pads; heretoes pads; mallets; mat patches;	Carved goods, except fine carved.	304000-304000
056000-056000	manila; and sheets; neo clips; paste rollers; pencil plugs; plungers; rubber bands; rubber gripper	Carved goods, except fine carved.	304000-304000
057000-057000	attachments; shoulder pads; shower curtains; sink plugs; skate strap pads (rubber chief value)	Carved goods, except fine carved.	304000-304000
058000-058000	cup covers; soap craters; table tops; tank balls; top lifts for beds; typewriter craters; weatherstrips;	Carved goods, except fine carved.	304000-304000
059000-059000	window weatherstrips; reclaimed rubber	Carved goods, except fine carved.	304000-304000
060000-060000	Natural craters, gums, and resins:	Carved goods, except fine carved.	304000-304000
061000-061000	Drumsticks.	Carved goods, except fine carved.	304000-304000
062000-062000	Gun stocks.	Carved goods, except fine carved.	304000-304000
063000-063000	Gun barrels.	Carved goods, except fine carved.	304000-304000
064000-064000	Gun parts.	Carved goods, except fine carved.	304000-304000
065000-065000	Other crude drugs, herbs, leaves, and roots, except cinchona bark, pyrethrum (insect flowers),	Carved goods, except fine carved.	304000-304000
066000-066000	and various bearing roots.	Carved goods, except fine carved.	304000-304000
067000-067000	Vegetable oils, fats, and waxes, crude:	Carved goods, except fine carved.	304000-304000
068000-068000	Vegetable oils (except essential) and fats, crude.	Carved goods, except fine carved.	304000-304000
069000-069000	Perfumery, perfume and other mint oils, natural.	Carved goods, except fine carved.	304000-304000
070000-070000	Citrus oils, natural.	Carved goods, except fine carved.	304000-304000
071000-071000	Citrus oils, natural.	Carved goods, except fine carved.	304000-304000
072000-072000	Citrus oils, natural.	Carved goods, except fine carved.	304000-304000
073000-073000	Citrus oils, natural.	Carved goods, except fine carved.	304000-304000
074000-074000	Vegetable waxes, crude.	Carved goods, except fine carved.	304000-304000
075000-075000	Seeds, except oil seeds, grass and field seeds	Carved goods, except fine carved.	304000-304000
076000-076000	Nursery and floral stock.	Carved goods, except fine carved.	304000-304000
077000-077000	Tobacco and manufactures	Carved goods, except fine carved.	304000-304000
078000-078000	Miscellaneous vegetable products, inedible	Carved goods, except fine carved.	304000-304000

RULES AND REGULATIONS

Schedule B No	Commodity
720445 723110 724950	Construction, excavating, mining, and related machinery: Clay shovels and water sprinkler tanks Elevators and moving stairways, n e c, and specially fabricated parts n e c. Other industrial machines and parts:
760020 761100 761250 761320 761330 761510	Bakery machines, n e c, and specially fabricated parts, n e c. Saw mill machines, n e c, and specially fabricated parts, n e c. Canery machines, n e c, and specially fabricated parts, n e c. with or without automatic feeders. Bottling, bottling, and bottle labeling machines, and specially fabricated parts, n e c. Meat and other food cutting, chopping and slicing, power-driven machines n e c, and specially fabricated parts, n e c. Oleaginous and oil making and tobacco processing machines n e c and specially fabricated parts, n e c. Paper converting machines, and specially fabricated parts, n e c. Commercial laundry and dry cleaning equipment (including power-driven machines) and parts. Scales and balances, except industrial and commercial and specially fabricated parts except lead scale weights.
762000 762700-762810 773810-773850 774340-774370	Office machines, and parts: Cash registers and specially fabricated parts. Typewriters, standard and portable, new, used and rebuilt. Parts, and accessories n e c specially fabricated for typewriters. Staplers, for office use. Check handling machines, and specially fabricated parts, n e c. Office machines, n e c, and specially fabricated parts, n e c. Other vehicles and parts: Bicycles, and specially fabricated parts and accessories n e c Farm wagons, drays, and trailers. Vehicles, n e c, and specially fabricated parts n e c except logging wagons motor scooters sno-cats, and snow caltrails
805000	Coal tar products: Coal-tar dyes and stains, n e c, the following only, in small packages of 2 ounces or less: dyes tablets; ester egg colors, except of vegetable origin; food coloring, except of vegetable origin; hair tints and dyes; and household tints and dyes Medicinal and pharmaceutical preparations: Menthol, bulk Mouth washes, gargles, and personal antiseptics Corn and foot remedies Laxatives, purgatives and cathartics Liniments Milk of magnesia Antacids and digestive preparations Chemical specialties: Household and industrial insecticides, fungicides, exterminators and repellents, liquid, paste, powder or solid form, except aerosol bombs, bug bombs, moth balls, and naphthalene balls and flakes. Household and industrial disinfectants, deodorants, germicides and similar preparations n e c i Baking powder. Regenerated cellulose, including printed (except rayon), in rolls, and sheets. Concentrating preparations for repairing sealing, and adhesive use, the following only: automobile top sealer; floor cement; linoleum cement except rubber; linoleum paste except rubber; Detergents, all types Specialty cleaning and washing compounds, n e c, except rifle cleaning compounds Polishes: Metal and stove polishes. Shoe polishes and shoe cleaners. Floor wax, wood and furniture polishes. Automobile polishes. Aromatic chemicals of synthetic origin. Aromatic compounds containing natural and/or synthetic essential oils and/or aromatic chemi cals of natural and synthetic origin for perfumery use Flavors and flavoring extracts natural and synthetic. Chemical specialty preparations.
823870 823950 824000 824100 824200 824300 824400 824500 824600 824700	Flour, for manufacturing ice cream; chili powder; compound; clarifier for beer or ale; clarifier for wine; but finishing powder; ink erasers; laundry soap; lipstick bases; liniments; marbled paper; meat curing compound; resin size; shaving cream base concen- trated; salt; stocking savers, in tablet form; and yeast food (dough conditioner) Industrial chemicals (exclusive of medicinal chemicals U S P and N F): Ethyl alcohol Cream of tartar (synthetic included) Sodium bicarbonate or baking soda. Sodium borate and borax Pigments, paints and varnishes: Iron oxide pigments dry, synthetic and natural (mineral earth pigments) Extender pigments dry the following only: barytes ground; calcium sulfate; and gypsum ground. Artists' colors
843110	

Schedule B No	Commodity
481650-482200	Paper, related products and manufactures—Continued
482250-483000	Paper, except building paper—Continued
483100-483150	Coarse paper.
483200-483250	Also: paper.
483300-483350	Also: paper and products n e o
483400-483450	Paper for building paper
483500-483550	Flexible wall and vegetable fiber thermal insulation.
483600-483650	Converted paper and board products
483700-483750	Coal and related fuels, except coke
483800-483850	Stone, hydraulic cement, except lime
483900-483950	Building and monumental stone and manufactures
484000-484050	Standard Portland cement
484100-484150	Concrete and cement manufactures
484200-484250	Lime.
484300-484350	Glass and products:
484400-484450	Flat glass;
484500-484550	Plate glass, and sheet and window glass, except colored and laminated
484600-484650	Flat glass and products n e o, except laminated glass and manufactures.
484700-484750	Glass bricks and blocks.
484800-484850	Unfilled glass containers, now and used
484900-484950	Table and kitchen glassware.
485000-485050	Lamp chimneys, lantern globes, and globes and shades for lighting fixtures
485100-485150	Clays and products:
485200-485250	Clays, except fire clay
485300-485350	Pottery:
485400-485450	Table and kitchen articles and utensils for use in cooking, preparing, serving and storing
485500-485550	food and drink
485600-485650	Sanitary articles.
485700-485750	Other pottery, except chemical and industrial
485800-485850	Structural clay products (except pottery and refractories)
485900-485950	Other nonmetallic minerals (precious included):
486000-486050	Abrasives:
486100-486150	Grindstones and pulps/stones natural
486200-486250	Pulps/stones of manufactured abrasives
486300-486350	Asphalt tiles
486400-486450	Manufactures of natural asphalt and bitumen
486500-486550	Gypsum and manufacturing.
486600-486650	Wool, glass wool and other semirigid and 'Fill' mineral insulating materials n e o
486700-486750	Salt, crude and refined
486800-486850	Magnesium silicate
486900-486950	Gravel.
487000-487050	Stones, crushed, ground or broken
487100-487150	Products, semiprecious, synthetic, and imitation stones, except diamonds, jewel bearings rubies
487200-487250	(<i>gemine and synthetic</i>) <i>sapphires (gemine and synthetic)</i> and <i>diamond bearings</i>
487300-487350	Metal manufactures:
487400-487450	Scissors, razors and blades (except electric)
487500-487550	Scissors, razors, clippers, and snips, n e c.
487600-487650	Butcher's and kitchen knives, forks, cleavers, and steels.
487700-487750	Other cutlery and specially fabricated parts except table flatware and machine knives and
487800-487850	blades.
487900-487950	Table flatware and specially fabricated parts n e o:
488000-488050	Silver plated.
488100-488150	Metals, except precious.
488200-488250	Hollow ware, n e c, solid or plated, and specially fabricated parts n e o:
488300-488350	Metals, except precious.
488400-488450	Cooking, kitchen, and hospital utensils, and specially fabricated parts, n e c
488500-488550	Kitchen appliances and tools hand-operated, and specially fabricated parts n e c
488600-488650	Vitreous enameled products n e c, and specially fabricated parts, n e c.
488700-488750	Tableware and other sheet metal ware n e c (including galvanized) and specially fabricated
488800-488850	parts, n e c.
488900-488950	Metal partitions, shelving, lockers cases cabinets counters and other fixtures n e c, and
489000-489050	specially fabricated parts n e c
489100-489150	Metal office equipment.
489200-489250	Metal household furniture and specially fabricated parts n e c.
489300-489350	Domestic cooking stoves and ranges
489400-489450	Hardware:
489500-489550	Locks (all metals).
489600-489650	Hinges and butts (all metals).
489700-489750	Iron and steel builders' hardware, n e c, and specially fabricated parts n e c.
489800-489850	Furniture hardware and specially fabricated parts, n e c.
489900-489950	Hardware, n e c, all metals, except copper-base alloys
490000-490050	Metal plumbing fixtures and fittings and specially fabricated parts, n e c.
490100-490150	Construction materials:
490200-490250	Brick, sections, and frames, door and window.
490300-490350	Veneer blinds (including slats and strip) and specially fabricated parts n e c.
490400-490450	Metal signs, except electric.
490500-490550	Silver-plated manufactures, n e c.
490600-490650	Electrical machinery and apparatus:
490700-490750	Electric commercial cooking and food service equipment n e c, and specially fabricated parts,
490800-490850	n e c
490900-490950	
491000-491050	
491100-491150	
491200-491250	
491300-491350	
491400-491450	
491500-491550	
491600-491650	
491700-491750	
491800-491850	
491900-491950	
492000-492050	
492100-492150	
492200-492250	
492300-492350	
492400-492450	
492500-492550	
492600-492650	
492700-492750	
492800-492850	
492900-492950	
493000-493050	
493100-493150	
493200-493250	
493300-493350	
493400-493450	
493500-493550	
493600-493650	
493700-493750	
493800-493850	
493900-493950	
494000-494050	
494100-494150	
494200-494250	
494300-494350	
494400-494450	
494500-494550	
494600-494650	
494700-494750	
494800-494850	
494900-494950	
495000-495050	
495100-495150	
495200-495250	
495300-495350	
495400-495450	
495500-495550	
495600-495650	
495700-495750	
495800-495850	
495900-495950	
496000-496050	
496100-496150	
496200-496250	
496300-496350	
496400-496450	
496500-496550	
496600-496650	
496700-496750	
496800-496850	
496900-496950	
497000-497050	
497100-497150	
497200-497250	
497300-497350	
497400-497450	
497500-497550	
497600-497650	
497700-497750	
497800-497850	
497900-497950	
498000-498050	
498100-498150	
498200-498250	
498300-498350	
498400-498450	
498500-498550	
498600-498650	
498700-498750	
498800-498850	
498900-498950	
499000-499050	
499100-499150	
499200-499250	
499300-499350	
499400-499450	
499500-499550	
499600-499650	
499700-499750	
499800-499850	
499900-499950	
500000-500050	
500100-500150	
500200-500250	
500300-500350	
500400-500450	
500500-500550	
500600-500650	
500700-500750	
500800-500850	
500900-500950	
501000-501050	
501100-501150	
501200-501250	
501300-501350	
501400-501450	
501500-501550	
501600-501650	
501700-501750	
501800-501850	
501900-501950	
502000-502050	
502100-502150	
502200-502250	
502300-502350	
502400-502450	
502500-502550	
502600-502650	
502700-502750	
502800-502850	
502900-502950	
503000-503050	
503100-503150	
503200-503250	
503300-503350	
503400-503450	
503500-503550	
503600-503650	
503700-503750	
503800-503850	
503900-503950	
504000-504050	
504100-504150	
504200-504250	
504300-504350	
504400-504450	
504500-504550	
504600-504650	
504700-504750	
504800-504850	
504900-504950	
505000-505050	
505100-505150	
505200-505250	
505300-505350	
505400-505450	
505500-505550	
505600-505650	
505700-505750	
505800-505850	
505900-505950	
506000-506050	
506100-506150	
506200-506250	
506300-506350	
506400-506450	
506500-506550	
506600-506650	
506700-506750	
506800-506850	
506900-506950	
507000-507050	
507100-507150	
507200-507250	
507300-507350	
507400-507450	
507500-507550	
507600-507650	
507700-507750	
507800-507850	
507900-507950	
508000-508050	
508100-508150	
508200-508250	
508300-508350	
508400-508450	
508500-508550	
508600-508650	
508700-508750	
508800-508850	
508900-508950	
509000-509050	
509100-509150	
509200-509250	
509300-509350	
509400-509450	
509500-509550	
509600-509650	
509700-509750	
509800-509850	
509900-509950	
510000-510050	
510100-510150	
510200-510250	
510300-510350	
510400-510450	
510500-510550	
510600-510650	
510700-510750	
510800-510850	
510900-510950	
511000-511050	
511100-511150	
511200-511250	
511300-511350	
511400-511450	
511500-511550	
511600-511650	
511700-511750	
511800-511850	
511900-511950	
512000-512050	
512100-512150	
512200-512250	
512300-512350	
512400-512450	
512500-512550	
512600-512650	
512700-512750	
512800-512850	
512900-512950	
513000-513050	
513100-513150	
513200-513250	
513300-513350	
513400-513450	
513500-513550	
513600-513650	
513700-513750	
513800-513850	
513900-513950	
514000-514050	
514100-514150	
514200-514250	
514300-514350	
514400-514450	
514500-514550	
514600-514650	
514700-514750	
514800-514850	
514900-514950	
515000-515050	
515100-515150	
515200-515250	
515300-515350	
515400-515450	
515500-515550	
515600-515650	
515700-515750	
515800-515850	
515900-515950	
516000-516050	
516100-516150	
516200-516250	
516300-516350	
516400-516450	
516500-516550	
516600-516650	
516700-516750	
516800-516850	
516900-516950	
517000-517050	
517100-517150	
517200-517250	
517300-517350	
517400-517450	
517500-517550	
517600-517650	
517700-517750	
517800-517850	
517900-517950	
518000-518050	
518100-518150	
518200-518250	
518300-518350	
518400-518450	
518500-518550	
518600-518650	
518700-518750	
518800-518850	
518900-518950	
519000-519050	
519100-519150	
519200-519250	
519300-519350	
519400-519450	
519500-519550	
519600-519650	
519700-519750	
519800-519850	
519900-519950	
520000-520050	
520100-520150	
520200-520250	
520300-520350	
520400-520450	
520500-520550	
520600-520650	
520700-520750	
520800-520850	
520900-520950	
521000-521050	
521100-521150	
521200-521250	
521300-521350	
521400-521450	
521500-521550	
521600-521650	
521700-521750	
521800-521850	
521900-521950	
522000-522050	
522100-522150	
522200-522250	
522300-522350	
522400-522450	
522500-522550	
522600-522650	
522700-522750	
522800-522850	
522900-522950	
523000-523050	
523100-523150	
523200-523250	
523300-523350	
523400-523450	
523500-523550	
523600-523650	
523700-523750	
523800-523850	
523900-523950	
524000-524050	
524100-524150	
524200-524250	
524300-524350	
524400-524450	
524500-524550	
524600-524650	
524700-524750	
524800-524850	
524900-524950	
525000-525050	
525100-525150	
525200-525250	
525300-525350	
525400-525450	
525500-525550	
525600-525650	
525700-525750	
525800-525850	
525900-525950	
526000-526050	
526100-526150	
526200-526250	
526300-526350	
526400-526450	
526500-526550	
526600-526650	
526700-526750	
526800-526850	
526900-526950	
527000-527050	
527100-527150	
527200-527250	
527300-527350	
527400-527450	</

Schedule B No	Commodity	Commodity	Schedule B No	Commodity
843100	Pigments, paints and varnishes—Continued	Pigments, paints and varnishes—Continued	843100	Pigments, paints and varnishes—Continued
843110	Paste and semipaste paint colors in oil, putty and paste wood fillers, n. o. c., except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones	Paste and semipaste paint colors in oil, putty and paste wood fillers, n. o. c., except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones	843110	Paste and semipaste paint colors in oil, putty and paste wood fillers, n. o. c., except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones
843120	Water thinned paints (all types)	Water thinned paints (all types)	843120	Water thinned paints (all types)
843130	Lacquers, aluminum silver and gold	Lacquers, aluminum silver and gold	843130	Lacquers, aluminum silver and gold
843140	Ready mixed paints, stains, and enamels, except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones	Ready mixed paints, stains, and enamels, except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones	843140	Ready mixed paints, stains, and enamels, except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones
844210	Varnishes (oil or spirit), natural or synthetic, n. o. c., except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones	Varnishes (oil or spirit), natural or synthetic, n. o. c., except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones	844210	Varnishes (oil or spirit), natural or synthetic, n. o. c., except antifouling types (including all those containing cuprous oxide), and those containing polytetrafluoroethylene (Keflon), polytrifluoroethylene (Keflon F), and silicones
857000-857500	Soil improvement materials	Soil improvement materials	857000-857500	Soil improvement materials
857510-857600	Soap and other preparations	Soap and other preparations	857510-857600	Soap and other preparations
857610-857700	Photographic and picture goods	Photographic and picture goods	857610-857700	Photographic and picture goods
857710-857800	Projectors, motion picture, substandard gauge, 8 mm	Projectors, motion picture, substandard gauge, 8 mm	857710-857800	Projectors, motion picture, substandard gauge, 8 mm
857810-857900	Motion picture films, exposed or developed	Motion picture films, exposed or developed	857810-857900	Motion picture films, exposed or developed
857910-858000	Negative	Negative	857910-858000	Negative
858010-858100	Trainers, inserts, and replacements	Trainers, inserts, and replacements	858010-858100	Trainers, inserts, and replacements
858110-858200	Negative 8 mm film	Negative 8 mm film	858110-858200	Negative 8 mm film
858210-858300	Sound track	Sound track	858210-858300	Sound track
858310-858400	Positive	Positive	858310-858400	Positive
858410-858500	Photographic and projection goods, n. o. c., and specially fabricated parts, n. o. c., the following only: albumen; analyzers; backgrounds; photographic; cable releases; carrying cases, for cameras and similar outfits; Cello trays; Craig Fotofade sets; cutting boards; developing; printing; fixing; or washing tanks; trays, and machines; developing tanks; dyes and punches; dry mounting presses; embossers and embossing equipment; flash synchronizers; flashing powder; hangers; Ilustravox Salesmaker parts; lamp holders; lantern slides; luxometers; magic lantern parts; microscope parts; photobaths; glass; photo blotters; photo scales (enlarger part); photographic mounts; print rollers; printing frames and masks; screens; shading machines; slide film prints (all film types); sprocket; sun shades; timers; and top sheet film eraser	Photographic and projection goods, n. o. c., and specially fabricated parts, n. o. c., the following only: albumen; analyzers; backgrounds; photographic; cable releases; carrying cases, for cameras and similar outfits; Cello trays; Craig Fotofade sets; cutting boards; developing; printing; fixing; or washing tanks; trays, and machines; developing tanks; dyes and punches; dry mounting presses; embossers and embossing equipment; flash synchronizers; flashing powder; hangers; Ilustravox Salesmaker parts; lamp holders; lantern slides; luxometers; magic lantern parts; microscope parts; photobaths; glass; photo blotters; photo scales (enlarger part); photographic mounts; print rollers; printing frames and masks; screens; shading machines; slide film prints (all film types); sprocket; sun shades; timers; and top sheet film eraser	858410-858500	Photographic and projection goods, n. o. c., and specially fabricated parts, n. o. c., the following only: albumen; analyzers; backgrounds; photographic; cable releases; carrying cases, for cameras and similar outfits; Cello trays; Craig Fotofade sets; cutting boards; developing; printing; fixing; or washing tanks; trays, and machines; developing tanks; dyes and punches; dry mounting presses; embossers and embossing equipment; flash synchronizers; flashing powder; hangers; Ilustravox Salesmaker parts; lamp holders; lantern slides; luxometers; magic lantern parts; microscope parts; photobaths; glass; photo blotters; photo scales (enlarger part); photographic mounts; print rollers; printing frames and masks; screens; shading machines; slide film prints (all film types); sprocket; sun shades; timers; and top sheet film eraser
858510-858600	Scientific and professional instruments, apparatus and supplies, n. o. c.	Scientific and professional instruments, apparatus and supplies, n. o. c.	858510-858600	Scientific and professional instruments, apparatus and supplies, n. o. c.
858610-858700	Sun glasses, eye goggles, ophthalmic spectacles, ophthalmic lenses and specially fabricated parts, n. o. c.	Sun glasses, eye goggles, ophthalmic spectacles, ophthalmic lenses and specially fabricated parts, n. o. c.	858610-858700	Sun glasses, eye goggles, ophthalmic spectacles, ophthalmic lenses and specially fabricated parts, n. o. c.
858710-858800	Optical goods, n. o. c., and specially fabricated parts, n. o. c., the following only: binocular cases; binocular lenses; cases for opera glasses; folding magnifiers; lens testers; optical; magnifying glasses; monoculars; reading glasses; spectacle cases of all materials	Optical goods, n. o. c., and specially fabricated parts, n. o. c., the following only: binocular cases; binocular lenses; cases for opera glasses; folding magnifiers; lens testers; optical; magnifying glasses; monoculars; reading glasses; spectacle cases of all materials	858710-858800	Optical goods, n. o. c., and specially fabricated parts, n. o. c., the following only: binocular cases; binocular lenses; cases for opera glasses; folding magnifiers; lens testers; optical; magnifying glasses; monoculars; reading glasses; spectacle cases of all materials
858810-858900	Dental office and laboratory equipment, n. o. c., and specially fabricated parts, n. o. c., the following only: X-ray equipment; bracket tables; cabinets; casting machines; chairs; compact mixers; control parts; explorers, and explorer; heavy duty tractors; printers; investment mixers; investment tables; laboratory statuettes; lights and light adapters; metal press; metal casting equipment; sand blasters; surveyors; syringes; lamps; tools; units; vibrators; waste containers; water heaters	Dental office and laboratory equipment, n. o. c., and specially fabricated parts, n. o. c., the following only: X-ray equipment; bracket tables; cabinets; casting machines; chairs; compact mixers; control parts; explorers, and explorer; heavy duty tractors; printers; investment mixers; investment tables; laboratory statuettes; lights and light adapters; metal press; metal casting equipment; sand blasters; surveyors; syringes; lamps; tools; units; vibrators; waste containers; water heaters	858810-858900	Dental office and laboratory equipment, n. o. c., and specially fabricated parts, n. o. c., the following only: X-ray equipment; bracket tables; cabinets; casting machines; chairs; compact mixers; control parts; explorers, and explorer; heavy duty tractors; printers; investment mixers; investment tables; laboratory statuettes; lights and light adapters; metal press; metal casting equipment; sand blasters; surveyors; syringes; lamps; tools; units; vibrators; waste containers; water heaters
858910-859000	Musical instruments, parts, and accessories	Musical instruments, parts, and accessories	858910-859000	Musical instruments, parts, and accessories
859010-859100	Blankets	Blankets	859010-859100	Blankets
859110-859200	Blankets, records and blanks	Blankets, records and blanks	859110-859200	Blankets, records and blanks
859210-859300	Other musical instruments, and specially fabricated parts and accessories, n. o. c., except electric and electronic organs, and phonographs and parts	Other musical instruments, and specially fabricated parts and accessories, n. o. c., except electric and electronic organs, and phonographs and parts	859210-859300	Other musical instruments, and specially fabricated parts and accessories, n. o. c., except electric and electronic organs, and phonographs and parts
859310-859400	Miscellaneous office supplies	Miscellaneous office supplies	859310-859400	Miscellaneous office supplies
859410-859500	Toys, athletic or leisure goods	Toys, athletic or leisure goods	859410-859500	Toys, athletic or leisure goods
859510-859600	Books, maps, pictures and other printed matter, n. o. c., except photographs, blueprints (859590) and technical data	Books, maps, pictures and other printed matter, n. o. c., except photographs, blueprints (859590) and technical data	859510-859600	Books, maps, pictures and other printed matter, n. o. c., except photographs, blueprints (859590) and technical data
859610-859700	Miscellaneous commodities n. o. c.	Miscellaneous commodities n. o. c.	859610-859700	Miscellaneous commodities n. o. c.
859710-859800	Relay alarm clocks	Relay alarm clocks	859710-859800	Relay alarm clocks
859810-859900	Watches and watch movements	Watches and watch movements	859810-859900	Watches and watch movements
859910-860000	Printings, etchings, engravings, statuary (except religious) and antiques	Printings, etchings, engravings, statuary (except religious) and antiques	859910-860000	Printings, etchings, engravings, statuary (except religious) and antiques

b. The following entries are deleted:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER Citation
Allen Textile Co., 15 West 39th St., New York City, N. Y.	7-31-53	8-31-53-----	Validated and general, all commodities, any destination; also exports to Canada. (Company related to Charles Goldberg and Asiatic Export Co., which see.) (On probation for additional period 9-1-53-7-31-54.)	18 F. R. 4607, 8-5-53.
Asiatic Export Co., 15 West 39th St., New York, N. Y.	7-31-53	8-31-53-----	Validated and general, all commodities, any destination; also exports to Canada. (On probation for additional period 9-1-53-7-31-54.)	18 F. R. 4607, 8-5-53.
Asiatic Export Co., of Canada, Ltd., Toronto, Canada.	7-31-53	8-31-53-----	Validated and general, all commodities, any destination; also exports to Canada. (Company related to Charles Goldberg and Asiatic Export Co., which see.) (On probation for additional period 9-1-53-7-31-54.)	18 F. R. 4607, 8-5-53.
Essex Mills, Inc., Conn-----	7-31-53	8-31-53-----	do-----	18 F. R. 4607, 8-5-53.
Eurasia Corp., Eurasia Import Co., 15 West 39th St., New York, N. Y.	7-31-53	8-31-53-----	do-----	18 F. R. 4607, 8-5-53.
Goldberg, Charles, president, Asiatic Export Co., 15 West 39th St., New York, N. Y.	7-31-53	8-31-53-----	do-----	18 F. R. 4607, 8-5-53.
Goldberg, Rubin, 15 West 39th St., New York, N. Y.	7-31-53	8-31-53-----	do-----	18 F. R. 4607, 8-5-53.
Intra-American Steel Co., 15 West 39th St., New York, N. Y.	7-31-53	8-31-53-----	do-----	18 F. R. 4607, 8-5-53.
Jacob, Ernest L., 86 Fort Washington Ave., New York, N. Y.	7-31-53	7-31-54-----	Validated and general, all commodities, any destination; also exports to Canada.	18 F. R. 4607, 8-5-53.
Schmerer, Leonard, 875 West End Ave., New York 25, N. Y.	9-19-52	12-13-54-----	General and validated licenses, all commodities, any destination; also exports to Canada. (Order rescinded 8-25-54.)	19 F. R. 2431, 4-24-54.
Standard International Corp., Clifford Chemicals Division, Standard International Corp., 120 Broadway, New York 38, N. Y.	7-14-54	8-13-54-----	General and validated, all commodities on Positive List coded SALT and DRUG, to all destinations, excluding Canada.	17 F. R. 8551, 9-25-52.
Winter, Robert J., 33 Broadway, New York 6, N. Y.	6-1-54	8-1-54-----	General and validated licenses, all commodities, any destination, excluding Canada.	19 F. R. 5524, 8-28-54.
Wormser, Paul, Wormser & Co., Paul, Nuschelerstrasse 10, Zurich, Switzerland.	5-19-50	Duration----	General and validated licenses, all Positive List commodities, any destination. (Order rescinded 8-5-54.)	19 F. R. 4429, 7-17-54.
Wormser & Co., Paul, 52 Haymarket, London S. W. 1, England.	5-19-50	-----do-----	General and validated licenses, all Positive List commodities, any destination. (Related to Paul Wormser, which see.) (Order rescinded 8-5-54.)	19 F. R. 2214, 4-16-54.

c. The following entry as presently set forth is amended to read as follows:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Stein, Steven, 110-37 64th Ave., Forest Hills, N. Y.	7-14-54	8-31-54	General and validated, all commodities, any destination, excluding Canada. (On probation for additional period 9-1-54-7-14-55.)	19 F. R. 4429, 7-17-54.

This amendment shall become effective as of September 16, 1954.

(Sec. 3, 63 Stat. 7, 65 Stat. 43, 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director

Bureau of Foreign Commerce.

[F. R. Doc. 54-7479; Filed, Sept. 27, 1954; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

PART 1105—AGRICULTURAL CONSERVATION; HAWAII

SUBPART—1955

The United States Department of Agriculture offers every farmer in the Territory of Hawaii an opportunity to conserve and improve the productivity

of his land through participation in the 1955 Agricultural Conservation Program.

Under this program part of the costs of the conservation practices is borne by the Government and this represents the Nation's interest in what happens to its basic land and water resources.

Costs will be shared on performance of recommended practices at approved rates to the extent of available funds. Developed under the provisions of the Soil Conservation and Domestic Allotment Act, the program is designed to meet local conservation needs.

Approved practices will be deemed to have been carried out during the program year if started after the beginning of the program year and the State Office determines that they are substantially completed by the end of the program year. However, no practice will be eligible for Federal cost-sharing until it has been completed in accordance with all applicable specifications and program provisions:

The information contained in this subpart outlines the general provisions of the 1955 Agricultural Conservation Program for Hawaii and the general specifications and rates of Federal cost-sharing for practices.

GENERAL PROGRAM PRINCIPLES

Sec. 1105.400 General program principles.

DEFINITIONS

1105.401 Definitions.

ALLOCATION OF FUNDS

1105.402 Allocation of funds.

APPROVAL OF CONSERVATION PRACTICES

1105.403 Method and extent of approval.

1105.404 Selection of practices.

1105.405 Pooling agreements.

1105.406 Prior request for cost-sharing.

1105.407 Program year and technical aid.

1105.408 Practice specifications and approval.

1105.409 Completion of practices.

1105.410 Practices substantially completed during program year.

1105.411 Practices requiring more than one program year for completion.

1105.412 Initial establishment, improvement, or installation of practices.

1105.413 Repair, upkeep, and maintenance of practices.

1105.414 Replacement, enlargement, or restoration of practices.

FEDERAL COST-SHARES

1105.415 Division of Federal cost-shares.

1105.416 Increase in small Federal cost-shares.

1105.417 Federal cost-shares limited to \$1,500.

GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

1105.418 Maintenance of practices.

1105.419 Practices defeating purposes of programs.

1105.420 Depriving others of Federal cost-share.

1105.421 Filing of false claims.

1105.422 Federal cost-shares not subject to claims.

1105.423 Assignments.

1105.424 Practices carried out with State or Federal aid.

1105.425 Excess acreage of basic agricultural commodities.

1105.426 Compliance with regulatory measures.

APPLICATION FOR PAYMENT OF FEDERAL COST-SHARES

1105.427 Persons eligible to file application.

1105.428 Time and manner of filing application and required information.

APPEALS

1105.429 Appeals.

AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

1105.430 Authority.

1105.431 Availability of funds.

1105.432 Applicability.

CONSERVATION PRACTICES AND MAXIMUM RATES
OF COST-SHARING

- Sec.
1105.433 Practice 1: Constructing continuous terraces and/or diversion ditches to control the flow of runoff water and check soil erosion on sloping farmland.
- 1105.434 Practice 2: Constructing interception ditches and/or outlet channels for disposing of, diverting, or collecting water to control erosion or for impounding livestock water to obtain proper distribution of livestock and encourage rotation grazing and better grazing land management as a means of protecting established vegetative cover, and for irrigation.
- 1105.435 Practice 3: Establishing a protective sod lining in waterways to dispose of excess water without causing erosion.
- 1105.436 Practice 4: Building erosion control dams or stone or vegetative barriers to prevent or heal the gullying of farmland and reduce runoff of water.
- 1105.437 Practice 5: Constructing permanent riprap or revetment of stone to control erosion of streambanks, gullies, dam faces, or watercourses.
- 1105.438 Practice 6: Initial planting of orchards on the contour to help prevent erosion.
- 1105.439 Practice 7: Initial establishment in the cropping system of leguminous crops for use as stubble mulch, cover, or green manure for protection of soil from erosion.
- 1105.440 Practice 8: Initial establishment in the cropping system of adapted nonlegumes for stubble mulch, cover filter strip, or green manure for protection of soil from erosion.
- 1105.441 Practice 9: Initial establishment of permanent pasture or initial improvement of an established permanent grass or grass-legume cover for soil or watershed protection by seeding, sodding, or sprigging adapted perennial grasses and/or legumes.
- 1105.442 Practice 10: Initial treatment of cropland or pasture for correction of soil acidity and addition of needed calcium to permit best use of legumes and/or grasses for soil improvement and protection.
- 1105.443 Practice 11: Controlling competitive shrubs to permit growth of adequate vegetative cover for soil protection on range or pasture lands by poisoning.
- 1105.444 Practice 12: Initial application of organic mulch material to any cropland or eroded pasture areas for soil protection and moisture conservation.
- 1105.445 Practice 13: Installation of pipelines for livestock water to obtain proper distribution of livestock and encourage rotation grazing and better grassland management as a means of protecting established vegetative cover.
- 1105.446 Practice 14: Construction of permanent artificial watersheds and/or storage tanks for accumulating water to obtain proper distribution of livestock and encourage rotation grazing and better grassland management as a means of protecting established vegetative cover.

Sec.

- 1105.447 Practice 15: Construction of permanent fences to obtain better distribution and control of livestock grazing on range or pasture land and to promote proper management for protection of established forage resources, or to protect farm woodland from grazing.
- 1105.448 Practice 16: Construction of dams, pits, or ponds for livestock water, including the enlargement of inadequate structures.
- 1105.449 Practice 17: Constructing or enlarging dams, pits, and ponds to impound surface water for irrigation.
- 1105.450 Practice 18: Reorganizing farm irrigation systems to conserve water and prevent erosion.
- 1105.451 Practice 19: Construction or enlargement of permanent open drainage systems to dispose of excess water on farmlands under cultivation or on pasturelands.
- 1105.452 Practice 20: Planting, interplanting, or replanting forest trees or shrubs on farmland in windbreaks and farm woodlots or woodlands for erosion control, watershed protection, or forestry purposes.
- 1105.453 Practice 21: Installation of facilities for sprinkler irrigation of permanent pasture on sloping land for developing forage resources to encourage rotation grazing and better range management for protection of all grazing land in the farm against overgrazing and erosion.

AUTHORITY: §§ 1105.400 to 1105.453 issued under sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7-17, 49 Stat. 1149, as amended, 68 Stat. 304, 904; 16 U. S. C. 590g-590q.

GENERAL PROGRAM PRINCIPLES

§ 1105.400 *General program principles.* The 1955 Agricultural Conservation Program for Hawaii has been developed and is to be carried out on the basis of the following general principles:

(a) The program is confined to the conservation practices on which Federal cost-sharing is most needed in order to achieve the maximum conservation benefit in the Territory.

(b) The program is designed to encourage those conservation practices which provide the most enduring conservation benefits practicably attainable in 1955 on the lands where they are to be applied.

(c) Costs will be shared with a farmer or rancher only on satisfactorily performed conservation practices for which Federal cost-sharing was requested by the farmer or rancher before the conservation work was begun.

(d) Costs should be shared only on practices which it is believed farmers and ranchers would not carry out to the needed extent without program assistance. Generally, practices that have become a part of regular farming operations in a particular county should not be eligible for cost-sharing. Individual farmers or ranchers should be encouraged to utilize cost-sharing for only those practices which have not become a part of regular farming operations on their farms or ranches.

(e) The rates of cost-sharing in the program are the minimum considered necessary to result in substantially increased performance of needed practices within the limits prescribed.

(f) The purpose of the program is to help achieve additional conservation on the land rather than to bring more land into agricultural production. Such of the available funds that cannot be wisely utilized for this purpose will be returned to the public treasury.

(g) If the Federal Government shares the cost of the initial application of conservation practices which farmers and ranchers otherwise would not perform but which are essential to the national interest, the farmers and ranchers should assume responsibility for the upkeep and maintenance of those practices.

DEFINITIONS

§ 1105.401 *Definitions.* For the purposes of the 1955 program:

(a) "Secretary" means the Secretary of the United States Department of Agriculture or the officer or employee of the Department to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(b) "Administrator, ACPS," means the Administrator of the Agricultural Conservation Program Service.

(c) "State" means the Territory of Hawaii.

(d) "State Office" means the Hawaii Agricultural Stabilization and Conservation Office in Honolulu, Territory of Hawaii.

(e) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise, or other legal entity (and, wherever applicable, the Territory of Hawaii or a political subdivision or agency thereof) that, as landlord, tenant, or sharecropper, participates in the operation of a farm or ranch.

(f) "Farm" or "ranch" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also (1) any other adjacent or nearby farm or range land which the State Office, in accordance with instructions issued by the Administrator, ACPS, determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops, and with workstock, machinery, and labor substantially separate from that for any other land; and (2) any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm or ranch, constitutes a unit with respect to the rotation of crops. Notwithstanding any limitation in this paragraph concerning the type or use of land, a farm may include or may consist entirely of woodland which is being operated for the production and sale of forest products. A farm or ranch shall be regarded as located in the county in which the principal dwelling is situated or, if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm or ranch is located.

(g) "Cropland" means farmland which in 1954 was tilled or was in regular crop rotation, excluding (1) bearing orchards and vineyards (except the acreage of cropland therein) (2) plowable noncrop open pasture, and (3) any land which constitutes, or will constitute if tillage is continued, a wind-erosion hazard to the community.

(h) "Orchardland" means the acreage in planted fruit trees, nut trees, coffee trees, papaya trees, banana plants, or vineyards.

(i) "Pastureland" means farmland, other than rangeland, on which the predominant growth is forage suitable for grazing and on which the spacing of any trees or shrubs is such that the land could not fairly be considered as woodland.

(j) "Rangeland" means land which produces, or can produce, forage suitable for grazing by range livestock without cultivation or general irrigation and is not suitable for any other agricultural use.

(k) "Merchantable timber" means any processed or unprocessed timber which is sold for cash by the producer.

(l) "Forest Service" means Division of Forestry, Territorial Board of Agriculture and Forestry.

ALLOCATION OF FUNDS

§ 1105.402 *Allocation of funds.* The amount of funds available for conservation practices under this program is \$183,000. This amount does not include the amount set aside for administrative expenses and the amount required for size-of-cost-share adjustments in § 1105.416.

APPROVAL OF CONSERVATION PRACTICES

§ 1105.403 *Method and extent of approval.* The State Office will determine the extent to which program funds will be made available to share the cost of each approved practice on each farm or ranch, taking into consideration the available funds, the conservation problems of the individual farm or ranch and other farms and ranches, and the conservation work for which requested Federal cost-sharing is considered as most needed in 1955. The notice of approval shall show for each approved practice the number of units of the practice for which the Federal Government will share in the cost and the amount of the Federal cost-share for the performance of that number of units of the practice.

§ 1105.404 *Selection of practices.* (a) The practices included in the program are only those practices for which cost-sharing is essential to permit accomplishment of needed conservation work which would not otherwise be carried out in the desired volume.

(b) Each farm or ranch operator shall be given an opportunity to request that the Federal Government share in the cost of those practices on which he considers he needs such assistance in order to permit their performance in adequate volume on his farm or ranch. The State Office, taking into consideration the farmer's or rancher's request and any conservation plan developed by the farmer or rancher with the assistance

of any State or Federal agency, shall direct the available funds for cost-sharing to those farms and ranches and to those practices where cost-sharing is considered most essential to the accomplishment of the basic conservation objective of the Department—the use of each acre of agricultural land within its capabilities and the treatment of each acre in accordance with its needs for protection and improvement.

§ 1105.405 *Pooling agreements.* Farmers or ranchers in any local area may agree in writing, with approval of the State Office, to perform designated amounts of practices which the State Office determines are necessary to conserve or improve the agricultural resources of the community. For purposes of cost-sharing, practices carried out under such an approved written agreement will be regarded as having been carried out on the farms or ranches of the persons who performed the practices.

§ 1105.406 *Prior request for cost-sharing.* Costs will be shared only for those practices, or components of practices, for which cost-sharing is requested by the farm or ranch operator before performance thereof is started. For practices for which (a) approval was given under the 1954 Agricultural Conservation Program, (b) performance was started but not completed during the 1954 program year, and (c) the State Office believes the extension of the approval to the 1955 program is justified under the 1955 program regulations and provisions, the filing of the request for cost-sharing under the 1954 program may be regarded as meeting the requirement of the 1955 program that a request for cost-sharing be filed before performance of the practice is started.

§ 1105.407 *Program year and technical aid.* (a) Costs will be shared at the rates specified and within the limitations set forth in this subpart for carrying out during the period from January 1, 1955, to December 31, 1955, inclusive, the conservation practices included in this subpart which are approved for a farm or ranch, except that farmers or ranchers who, before December 31, 1954, (1) complete all practices for which they will make claim for cost-shares under the 1954 program, or (2) have carried out practices to the maximum extent of their allowance under the 1954 program, may enroll and perform practices under the 1955 program any time after September 30, 1954. No costs will be shared under the 1955 program for any part of a practice carried out for cost-sharing under the 1954 program.

(b) The Soil Conservation Service is responsible for the technical phases of the practices contained in §§ 1105.433, 1105.434, 1105.436, 1105.437, 1105.446, 1105.448 to 1105.451, and 1105.453. This responsibility shall include (1) a finding that the practice is needed and practicable on the farm, (2) necessary site selection, other preliminary work, and layout work of the practice, (3) necessary supervision of the installation, and (4) certification of performance. For the practice contained in § 1105.435, the Soil Conservation Service is responsible

(1) for determining that the practice is needed and practicable on the farm, and (2) for necessary site selection, other preliminary work, and layout work of the practice. For the practices contained in §§ 1105.438 and 1105.445, the Soil Conservation Service is responsible for determining that the practice is needed and practicable on the farm. In addition, upon agreement of the State Office and the State Conservationist of the Soil Conservation Service, responsibility for all or part of the unassigned technical phases of these or other practices may be assigned to the Soil Conservation Service. The State Conservationist of the Soil Conservation Service may utilize assistance from private, State, or Federal agencies in carrying out these assigned responsibilities.

(c) The Forest Service (Forestry Division, Territorial Board of Agriculture and Forestry) is responsible for the technical phases of the practice contained in § 1105.452. This responsibility shall include (1) providing necessary specialized technical assistance, (2) development of specifications for forestry practices, and (3) working through the State office, determining compliance in meeting these specifications.

§ 1105.408 *Practice specifications and approval.* (a) Minimum specifications which practices must meet to be eligible for Federal cost-sharing are set forth in this subpart. Additional specifications may be secured from the State Office or the Soil Conservation Service Territorial Office in Honolulu.

(b) For those practices in this subpart which authorize Federal cost-sharing for minimum required applications of liming materials and commercial fertilizers, the minimum required application on which cost-sharing is authorized shall in each case be determined on the basis of current soil tests: *Provided, however,* That if the State Office determines that available facilities are inadequate to provide the necessary tests, the minimum required applications of these materials shall be those recommended for the area by the Agricultural Extension Service. Liming materials contained in commercial fertilizers, phosphate rock, or basic slag will not qualify for Federal cost-sharing.

(c) Costs for the practices contained in §§ 1105.435 and 1105.439 to 1105.441 may be shared even though a good stand is not established, if the State Office determines, in accordance with approved standards, that the practices were carried out in a manner which would normally result in the establishment of a good stand, and that failure to establish a good stand was due to weather or other conditions beyond the control of the farm or ranch operator. The State Office may require as a condition of cost-sharing in such cases that the area be reseeded, or that other needed protective measures be carried out.

§ 1105.409 *Completion of practices.* Federal cost-sharing for the practices contained in this subpart is conditioned upon the performance of the practices in accordance with all applicable specifications and program provisions. Except as provided in §§ 1105.410 and

1105.411, practices must be completed during the program year in order to be eligible for cost-sharing.

§ 1105.410 *Practices substantially completed during program year* Approved practices may be deemed, for purposes of payment of cost-shares, to have been carried out during the 1955 program year, if the State Office determines that they are substantially completed by the end of the program year. However, no cost-shares for such practices shall be paid until they have been completed in accordance with all applicable specifications and program provisions.

§ 1105.411 *Practices requiring more than one program year for completion.* (a) Cost sharing may be approved under the 1955 program for a component of a practice completed during the program year in accordance with all applicable specifications and program provisions, provided:

(1) The farmer or rancher agrees in writing to complete all remaining components of the practice in accordance with all applicable specifications and program provisions within the time prescribed by the State Office, if cost-sharing is offered to him therefor under a subsequent program; and

(2) The State Office determines that under the circumstances prevailing on the farm in 1955, completion of that component is a reasonable attainment in 1955 toward the ultimate completion of all components of the practice.

(b) Any advance cost-share so paid shall be refunded if the remaining components of the practice are not completed in accordance with all specifications and program provisions within the time prescribed by the State Office, provided the farmer or rancher is offered cost-sharing under a subsequent program for completing such components. The extension of the period for completion of the remaining components of the practice will not constitute a commitment to approve cost-sharing therefor under a subsequent program. Approval of cost-sharing for other practices under subsequent programs may be denied until the remaining components are completed.

§ 1105.412 *Initial establishment, improvement, or installation of practices.* (a) Federal cost-sharing may not be authorized under the 1955 program for the performance of the practices contained in §§ 1105.435, 1105.438 to 1105.444, or 1105.452 on land on which cost-sharing for the performance of the same practice, or a practice to accomplish the same conservation purpose, was allowed under the 1954 program, except as provided in §§ 1105.408 (c) and 1105.414. Federal cost-sharing may not be authorized under the 1955 program for the performance of any improvement measure under the practice contained in § 1105.452 on land on which cost-sharing for performance of the same improvement measure was allowed under the 1954 program.

(b) Federal cost-sharing may not be authorized under the 1955 program for any mechanical or construction type

practice to be installed at a particular location or to serve a particular area if cost-sharing for the performance of the same practice, or a practice to serve the same conservation purpose, at that location or serving that area was allowed under any previous program, except as provided in § 1105.414.

(c) It is contemplated that this policy will be continued for subsequent programs.

§ 1105.413 *Repair, upkeep, and maintenance of practices.* Federal cost-sharing is not authorized for repairs or for upkeep or maintenance of any practice.

§ 1105.414 *Replacement, enlargement, or restoration of practices.* Federal cost-sharing may be approved for replacement, enlargement, or restoration of practices for which cost-sharing was allowed under a previous program but which are not now adequately meeting the conservation problem, if all of the following conditions exist:

(a) Replacement, enlargement, or restoration of the practice is needed to meet the conservation problem.

(b) The failure of the original practice was not due to the lack of proper maintenance by the current operator.

(c) The practice has not served for the length of time for which it normally could be expected to effectively meet the conservation problem. This does not apply to the practices listed in § 1105.412 (a) for which cost-sharing was allowed prior to the 1954 program.

(d) The State Office believes that the replacement, enlargement, or restoration of the practice merits consideration under the program to an equal extent with similar practices for which cost-sharing for initial establishment is requested.

FEDERAL COST-SHARES

§ 1105.415 *Division of Federal cost-shares.* (a) *Federal cost-shares.* The Federal cost-share attributable to the use of conservation materials or services shall be credited to the person to whom the materials or services are furnished. Other Federal cost-shares shall be credited to the person who carried out the practices by which such other Federal cost-shares are earned. If more than one person contributed to the carrying out of such practices, the Federal cost-share shall be divided among such persons in the proportion that the State Office determines they contributed to the carrying out of the practices. In making this determination the State Office shall take into consideration the value of the labor, equipment, or material contributed by each person toward the carrying out of each practice on a particular acreage, and shall assume that each contributed equally unless it is established to the satisfaction of the State Office that their respective contributions thereto were not in equal proportion. The furnishing of land or the right to use water will not be considered as a contribution to the carrying out of any practice.

(b) *Death, incompetency, or disappearance.* In case of death, incompetency, or disappearance of any person, any Federal share of the cost due him shall be paid to his successor, determined in accordance with the provisions of the

regulations in ACP-122, as amended (Part 1103 of this chapter)

§ 1105.416 *Increase in small Federal cost-shares.* The Federal cost-share computed for any person with respect to any farm or ranch shall be increased as follows: *Provided, however* That in the event legislation is enacted which repeals or amends the authority for making such increases, the Secretary may in such manner and at such time as is consistent with such legislation, discontinue such increases:

(a) Any Federal cost-share amounting to \$0.71 or less shall be increased to \$1.

(b) Any Federal cost-share amounting to more than \$0.71 but less than \$1, shall be increased by 40 percent.

(c) Any Federal cost-share amounting to \$1 or more shall be increased in accordance with the following schedule:

Amount of cost-share computed:	Increase in cost-share
\$1 to \$1.50	\$0.40
\$2 to \$2.50	.80
\$3 to \$3.50	1.20
\$4 to \$4.50	1.60
\$5 to \$5.50	2.00
\$6 to \$6.50	2.40
\$7 to \$7.50	2.80
\$8 to \$8.50	3.20
\$9 to \$9.50	3.60
\$10 to \$10.50	4.00
\$11 to \$11.50	4.40
\$12 to \$12.50	4.80
\$13 to \$13.50	5.20
\$14 to \$14.50	5.60
\$15 to \$15.50	6.00
\$16 to \$16.50	6.40
\$17 to \$17.50	6.80
\$18 to \$18.50	7.20
\$19 to \$19.50	7.60
\$20 to \$20.50	8.00
\$21 to \$21.50	8.20
\$22 to \$22.50	8.40
\$23 to \$23.50	8.60
\$24 to \$24.50	8.80
\$25 to \$25.50	9.00
\$26 to \$26.50	9.20
\$27 to \$27.50	9.40
\$28 to \$28.50	9.60
\$29 to \$29.50	9.80
\$30 to \$30.50	10.00
\$31 to \$31.50	10.20
\$32 to \$32.50	10.40
\$33 to \$33.50	10.60
\$34 to \$34.50	10.80
\$35 to \$35.50	11.00
\$36 to \$36.50	11.20
\$37 to \$37.50	11.40
\$38 to \$38.50	11.60
\$39 to \$39.50	11.80
\$40 to \$40.50	12.00
\$41 to \$41.50	12.10
\$42 to \$42.50	12.20
\$43 to \$43.50	12.30
\$44 to \$44.50	12.40
\$45 to \$45.50	12.50
\$46 to \$46.50	12.60
\$47 to \$47.50	12.70
\$48 to \$48.50	12.80
\$49 to \$49.50	12.90
\$50 to \$50.50	13.00
\$51 to \$51.50	13.10
\$52 to \$52.50	13.20
\$53 to \$53.50	13.30
\$54 to \$54.50	13.40
\$55 to \$55.50	13.50
\$56 to \$56.50	13.60
\$57 to \$57.50	13.70
\$58 to \$58.50	13.80
\$59 to \$59.50	13.90
\$60 to \$185.50	14.00
\$186 to \$193.50	(¹)
\$200 and over	(²)

¹Increase to \$200.

²No increase.

§ 1105.417 *Federal cost-shares limited to \$1,500.* (a) The total of all Federal cost-shares under the 1955 program to any person with respect to farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, Puerto Rico, and the Virgin Islands) shall not exceed the sum of \$1,500.

(b) All or any part of any Federal cost-share which otherwise would be due any person under the 1955 program may be withheld, or required to be refunded, if he has adopted, or participated in adopting, any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, designed to evade, or which has the effect of evading, the provisions of this section.

GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

§ 1105.418 *Maintenance of practices.* The sharing of costs, by the Federal Government, for the performance of approved conservation practices on any farm or ranch under the 1955 program will be subject to the condition that the person with whom the costs are shared will maintain such practices in accordance with good farming practices as long as the land on which they are carried out is under his control.

§ 1105.419 *Practices defeating purposes of programs.* If the State Office finds that any person has adopted or participated in any practice which tends to defeat the purposes of the 1955 or any previous program, including, but not limited to, failure to maintain, in accordance with good farming practices, practices carried out under a previous program, it may withhold, or require to be refunded, all or any part of the Federal cost-share which otherwise would be due him under the 1955 program.

§ 1105.420 *Depriving others of Federal cost-share.* If the State Office finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation) the effect of which would be or has been to deprive any other person of the Federal cost-share due that person under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the Federal cost-share which otherwise would be due him under the 1955 program.

§ 1105.421 *Filing of false claims.* If the State Office finds that any person has knowingly filed claim for payment of the Federal cost-share under the program for practices not carried out, or for practices carried out in such a manner that they do not meet the required specifications therefor, such person shall not be eligible for any Federal cost-sharing under the program and shall refund all amounts that may have been paid to him under the program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

§ 1105.422 *Federal cost-shares not subject to claims.* Any Federal cost-share, or portion thereof, due any person shall be determined and allowed without regard to questions of title under State law without deduction of claims for advances (except as provided in § 1105.423, and except for indebtedness to the United States subject to setoff under orders issued by the Secretary (Part 1109 of this chapter)) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

§ 1105.423 *Assignments.* Any person who may be entitled to any Federal cost-share under the 1955 program may assign his right thereto, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1955. No assignment will be recognized unless it is made in writing on Form ACP-69 and in accordance with the instructions in ACP-70.

§ 1105.424 *Practices carried out with State or Federal aid.* The Federal share of the cost for any practice shall not be reduced because it is carried out with materials or services furnished through the program or by any agency of a State to another agency of the same State, or with technical advisory services furnished by a State or Federal agency. In other cases of State or Federal aid, the total Federal cost-share computed on the basis of the total number of units of the practice performed shall be reduced by the value of the aid, as determined by the State Office, in computing the amount of the Federal cost-share to be paid for performance of the practice. Materials or services furnished or used by a State or Federal agency for the performance of practices on its land shall not be regarded as State or Federal aid for the purposes of this section.

§ 1105.425 *Excess acreage of basic agricultural commodities.* (a) Any person who knowingly harvests any basic agricultural commodity or causes any basic agricultural commodity to be harvested on any farm in which he has an interest, in excess of the 1955 acreage allotment for the farm for such basic agricultural commodity under the Agricultural Adjustment Act of 1938, as amended, shall not be eligible for any payment of cost-shares whatsoever on that farm or on any other farm under 1955 programs authorized by sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended. A basic agricultural commodity shall not be deemed to have been knowingly harvested on any farm in excess of the farm acreage allotment for such basic agricultural commodity if it is determined under applicable price support regulations that the acreage allotment for the commodity has not been knowingly exceeded.

(b) Any person who makes application for payment of cost-shares with respect to any farm shall file with such application a statement that he has not knowingly harvested any basic agricultural commodity or caused any basic agricultural commodity to be harvested on any farm in which he has an interest, in

excess of the 1955 acreage allotment established for the farm for such basic agricultural commodity under the Agricultural Adjustment Act of 1938, as amended.

§ 1105.426 *Compliance with regulatory measures.* Persons who carry out conservation practices for cost-sharing under the 1955 program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance and maintenance of the practices in keeping with applicable laws and regulations. The person with whom the cost of the practice is shared shall be responsible to the Federal Government for any losses it may sustain because he infringes on the rights of others or fails to comply with applicable laws and regulations.

APPLICATION FOR PAYMENT OF FEDERAL COST-SHARES

§ 1105.427 *Persons eligible to file application.* Any person who, as landlord, tenant, or sharecropper on a farm or ranch, bore a part of the cost of an approved conservation practice is eligible to file an application for payment of the Federal cost-share due him.

§ 1105.428 *Time and manner of filing application and required information.* (a) Payment of Federal cost-shares will be made only upon application submitted on the prescribed form to the State Office. Payment may be withheld from any person who fails to file any form or furnish any information required with respect to any farm or ranch which such person is operating or renting to another. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the State Office before May 1, 1956. At least 2 weeks' notice to the public shall be given of the expiration of a time limit for filing prescribed forms or required information, and any time limit fixed shall afford a full and fair opportunity to those eligible to file the form or information within the period prescribed. Such notice shall be given by mailing notice to each farm inspector and making copies available to the press.

(b) If an application for a farm or ranch is filed within the time prescribed, any producer on the farm or ranch who did not sign the application may subsequently apply for his share of the cost-share, provided he does so on or before December 31, 1956.

APPEALS

§ 1105.429 *Appeals.* Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the State Office in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his Federal cost-shares with respect to the farm or ranch. The State Office shall notify him of its decision in writing within 15 days after receipt of written request for consideration. If the producer is dissatisfied with the decision of the State Office, he may, within 15 days after the decision is forwarded to or made available to him, request the Administrator, ACPS, to review the decision of the State Office.

The decision of the Administrator, ACPS, shall be final. Written notice of any decision rendered under this section by the State Office shall also be issued to each other landlord, tenant, or share-cropper on the farm or ranch who may be adversely affected by the decision.

AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

§ 1105.430 *Authority.* The program contained in this subpart is approved pursuant to the authority vested in the Secretary of Agriculture under sections 7-17 of the Soil Conservation and Domestic Allotment Act, as amended (49 Stat. 1148; 16 U. S. C. 590g-590q) and the Department of Agriculture Appropriation Act, 1955.

§ 1105.431 *Availability of funds.* (a) The provisions of the 1955 program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the paying of the Federal cost-shares provided in this subpart is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such Federal cost-shares will necessarily be within the limits finally determined by such appropriation.

(b) The funds provided for the 1955 program will not be available for paying Federal cost-shares for which applications are filed in the State Office after December 31, 1956.

§ 1105.432 *Applicability.* (a) The provisions of the 1955 program contained in this subpart are not applicable to (1) any department or bureau of the United States Government or any corporation wholly owned by the United States; (2) grazing lands owned by the United States which were acquired or reserved for conservation purposes, or which are to be retained permanently under Government ownership, including, but not limited to, grazing lands administered by the Forest Service of the United States Department of Agriculture, or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act) or the Fish and Wildlife Service of the United States Department of the Interior; (3) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it; and (4) farmlands the use of which the State Office determines will probably change within 2 years to non-agricultural use.

(b) The program is applicable to (1) privately owned lands; (2) lands owned by the Territory of Hawaii or a political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as production credit associations; (4) lands temporarily owned by the United States or a corporation wholly owned by it, which were not acquired or reserved for conservation purposes, including lands administered by the Farmers Home Administration, the Federal Farm Mortgage Corporation, the United States Department of Defense, or by any other Government agency designated by the Administrator; and (5) any cropland farmed by private persons which is

owned by the United States or a corporation wholly owned by it.

CONSERVATION PRACTICES AND MAXIMUM RATES OF COST-SHARING

§ 1105.433 *Practice 1: Constructing continuous terraces and/or diversion ditches to control the flow of runoff water and check soil erosion on sloping farmland.* Cost-sharing will be allowed, provided the structures are properly laid out, and constructed in accordance with specifications contained in Soil Conservation Service Technical Standards on file in the State Office. If the land terraced is planted to clean-tilled crops, the crop rows should follow contour lines and the land surface must be protected during the rainfall season by cover crops, heavy crop residues, or organic mulches. Diversion ditches should be used on slopes between 16 percent and 20 percent and bench-type terraces on land of 20 percent or more slope. No cost-sharing will be allowed for reconstructing old terraces.

Maximum Federal cost-share. (a) \$2 per 100 linear feet of terrace constructed in clear soil.

(b) \$4 per 100 linear feet of terrace constructed in very rocky soil or exposed rocky substratum.

(c) \$8 per 100 linear feet for bench terraces.

(d) \$0.10 per cubic yard of earth moved in diversion ditch construction.

§ 1105.434 *Practice 2: Constructing interception ditches and/or outlet channels for disposing of, diverting, or collecting water to control erosion or for impounding livestock water to obtain proper distribution of livestock and encourage rotation grazing and better grazing land management as a means of protecting established vegetative cover, and for irrigation.* This practice does not apply to infield surface water interception on farmlands. (See § 1105.433 (practice 1) for infield interception of runoff waters.) Channels having an erosive grade must be protected against erosion damage by adequate sod or other lining. Outlets must be protected to discharge water without gulying. The amount of material moved in channel construction shall be that which is determined by direct measurement of ridge or berm material above normal ground level or that determined by prior and subsequent sectional surveys. Cost-sharing will be allowed only once and that for the year of construction. Specifications are contained in Soil Conservation Service Technical Standards on file in the State Office.

Maximum Federal cost-share. \$0.10 per cubic yard of material moved.

§ 1105.435 *Practice 3: Establishing a protective sod lining in waterways to dispose of excess water without causing erosion.* This practice is to prevent erosion in permanent waterways and is applicable only to waterways built or reshaped in the program year for use in removing excess water from farmland that is contoured, terraced, and/or trash-mulched. Satisfactory sod lining (dense enough to prevent soil cutting) must be established before cost-sharing may be allowed for this practice. Maximum width of wa-

terway for which cost-sharing will be approved is 50 feet. Detailed specifications on species, seeding rates, sprig spacings, soil preparation, and irrigation are contained in Soil Conservation Service Technical Standards on file in the State Office. Bermuda, Giant Bermuda, Kikuyu, or any other locally adapted species approved by the State Office may be used.

Maximum Federal cost-share. \$9.75 per 1,000 square feet of surface established by shaping and seeding, sodding, or sprigging, plus 50 percent of the average cost at the farm of the minimum required application of approved liming materials and commercial fertilizers, including nitrogen, for the establishment of the cover.

§ 1105.436 *Practice 4: Building erosion control dams or stone or vegetative barriers to prevent or heal the gulying of farmland and reduce runoff of water.* Receipts or invoices showing purchase of pipe and/or flume material and receipts or records showing payment for labor will be required by inspectors as evidence of accomplishment under (d) and (f) of this section. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office.

Maximum Federal cost-share. (a) \$0.14 per cubic yard of earth moved in the construction of the dams, wings, and walls.

(b) \$12 per cubic yard of concrete used.

(c) \$7 per cubic yard of rubble masonry used.

(d) 50 percent of the average cost of pipe and/or flume material delivered to the farm.

(e) \$1.50 per cubic yard of rock used, for rock or rock-and-brush dams.

(f) 50 percent of the cost of constructing stone barriers for diverting and spreading surface runoff.

(g) \$0.25 per 100 linear feet for planting single line vegetative barriers to impede the flow of surface runoff.

(h) \$1.50 per 1,000 square feet for planting suitable permanent matted vegetative barriers.

§ 1105.437 *Practice 5: Constructing permanent riprap or revetment of stone to control erosion of streambanks, gullies, dam faces, or watercourses.* Dams for purposes other than for impounding water for irrigation or for livestock water to obtain proper distribution of livestock and encourage rotation grazing and better grassland management are not eligible. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office.

Maximum Federal cost-share. \$0.50 per square yard of exposed riprap surface.

§ 1105.438 *Practice 6: Initial planting of orchards on the contour to help prevent erosion.* This practice is to conserve water and reduce erosion from irrigation or storm water, with orchard rows running on nonerosive grades across the main slope. Cost-sharing will be allowed for planting orchards on the contour on land having more than 2 percent slope. The land must be protected during the rainfall season by cover crops, stubble mulch, or mulch and terraces or diversion ditches.

Maximum Federal cost-share. \$5 per acre.

§ 1105.439 *Practice 7 Initial establishment in the cropping system of*

leguminous crops for use as stubble mulch, cover or green manure for protection of soil from erosion. In order to qualify, a good stand and a good growth of the leguminous crops must be grown and left on the land as cover or turned under for green manure during the program year. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office. Receipts or invoices showing purchase of seed, or records of collecting, will be required by inspectors as evidence of seed used. In case of mixed seeding with acceptable nonlegumes (see § 1105.440 (practice 8)) the ratio of one-third of the required poundage of legume seed for unmixed plantings to two-thirds of the required poundage of nonlegume seed for unmixed plantings shall provide the basis for determining eligibility and cost-share. Federal cost-sharing will be limited to the acreage in excess of the normal acreage of such plantings, which shall not be less than the average of all such plantings for the past 3 years. Any of the following crops or any other locally adapted crops approved by the State Office may be used.

	Minimum seeding rate (pounds per acre)
(a) Pigeon peas.....	30
(b) Velvetbeans.....	50
(c) Field beans.....	30
(d) Purple vetch.....	50
(e) Clover:	
Large like Kalmi.....	10
Small like Alsike.....	5
(f) Kudzu.....	8
(g) Crotalaria juncea.....	10
(h) Crotalaria spectabilis.....	10
(i) Cowpeas.....	30

Maximum Federal cost-share. 50 percent of the cost of seed at the farm, but not in excess of \$5 per acre of area planted.

§ 1105.440 *Practice 8: Initial establishment in the cropping system of adapted nonlegumes for stubble mulch, cover filter strip, or green manure for protection of soil from erosion.* Para grass (*Panicum purpurascens*) molasses grass, Rhodes grass, feather fingergrass, acceptable small grains, and other nonlegumes determined by the State Office as suitable for this purpose, are eligible for cost-sharing. In order to qualify, a good stand and a good growth must be secured during the program year and be left on the land if for cover or turned under before year-end if for green manure. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office. Acreage harvested for seed or hay is not eligible for Federal cost-sharing. Federal cost-sharing (except for seedlings for filter strips) will be limited to the acreage in excess of the normal acreage of such plantings, which shall not be less than the average of all such plantings for the past 3 years. Receipts or invoices showing purchases of seed, or records of collecting, will be required by inspectors as evidence of seed used. In case of mixed seeding with acceptable legumes, see § 1105.439 (practice 7) for ratio specifications.

Maximum Federal cost-share. 50 percent of the cost of seed at the farm, but not in excess of \$5 per acre actually planted.

§ 1105.441 *Practice 9: Initial establishment of permanent pasture or initial improvement of an established permanent grass or grass-legume cover for soil or watershed protection by seeding, sodding, or sprigging adapted perennial grasses and/or legumes.* All equipment used to prepare land for seeding shall operate across the slope as near to the contour as practicable. In areas where long slopes are to be broken out of native vegetation, the land preparation shall be done in contour strips and established to improved pasture before the intermediate strips shall be broken out. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office. The seed must be well distributed over the area sown to insure a good stand at maturity. Any locally adapted crops approved by the State Office may be used but must be seeded at not less than the minimum seeding rates per acre prescribed by the State Office. In order to meet minimum requirements, slips or stools of grasses may be planted in continuous rows. Grass and legume charts are available in the State Office. Costs will be shared only if a satisfactory stand of the seeded grass or legume-grass mixture is established within 6 months after clearing unless natural circumstances recognized by the State Office as being beyond control of the farmer affect growth results adversely. No area seeded shall be grazed until grass and legume-grass mixtures are well established. If clearing is done, the land must have undergone no clearing operation within the past 25 years while under control of the present operator or within 10 years in the case of a recent change in ownership or tenancy, except where the State Office determines otherwise. Land cleared must be established in perennial grasses or a legume-grass mixture as soon as practicable and within the program year. No cost will be shared where mechanical equipment is used on slopes above 35 percent nor will cost be shared for clearing a stand of merchantable timber (including timber for fence posts and charcoal for sale). No cost will be shared for land clearing if the land cleared would be suitable for cultivation of crops. Records of labor, equipment, and material used in the clearing operation and receipts or invoices showing purchase of seed or records of costs of collecting will be required as evidence of cost.

Maximum Federal cost-share. (a) Seeding after land preparation, 50 percent of the cost of seed, not to exceed \$5 per acre, plus 50 percent of the average cost at the farm of the minimum required application of approved liming materials and commercial fertilizers, including nitrogen, for the establishment of the cover.

(b) Clearing operations not to exceed the lesser of \$15 per acre or \$1,000 per farm.

§ 1105.442 *Practice 10: Initial treatment of cropland or pasture for correction of soil acidity and addition of needed calcium to permit best use of legumes and/or grasses for soil improvement and protection.* This practice is applicable to land which is devoted in 1955 to grasses or legumes or which will be devoted to grasses or legumes in the planned rotation for the farm. Treat-

ment of land which is in pasture and which is to remain in pasture will be eligible for cost-sharing only if recent soil analysis and Agricultural Extension Service recommendations justify the use of lime and all measures needed to assure an improved vegetative cover which will provide adequate and extended soil protection are carried out. Any acreage on which cost-sharing is given under this practice under the 1955 program will not qualify for cost-sharing for liming in subsequent years. Liming material must contain at least 80 percent calcium carbonate equivalent and be fine enough to pass through a 20-mesh screen (unless the Agricultural Extension Service of the University of Hawaii recommends otherwise) and must be evenly applied to the land. Receipts or invoices showing the purchase of lime, properly dated and signed by the vendor, will be required as evidence by the farm inspector at the time of inspection.

Maximum Federal cost-share. 50 percent of the average cost of the minimum required application of liming material delivered to the farm.

§ 1105.443 *Practice 11. Controlling competitive shrubs to permit growth of adequate vegetative cover for soil protection on range or pasture lands by poisoning.* Sharing costs for poisoning will be repeated for each application but not in excess of two per year made according to accepted practices. Receipts or invoices showing purchase and analysis of poisons used will be required by inspectors as evidence. Competitive shrubs eligible under this practice are as listed below and described in Extension Bulletin 62, University of Hawaii, available at the State Office:

Guava (*Psidium guajava*).
Opiuma (*Pithecellobium dulce*).
Emex (*Emex spinosa*).
Melastoma (*Melastoma malabathricum*).
Firebush (*Myrica faya*).
Pepper tree (*Schinus molle*).
Cactus (*Opuntia magacantha*).
Java-plum (*Eugenia cumini*).
Christmas berry (*Schinus terebinthifolia*).
Cat's claw (*Caesalpinia sepiaria*).
Aalii (*Dedonaea eriocarpa*).
Joea (*Stachytarpheta cayennensis*).
Lantana (*Lantana camara*).
Walawi (*Usidium cattleianum* var. *luclidum*).
Pamakani (*Eupatorium adenophorum*).
Puakeawe (*Styphella tamelamelae*).
Sacramento burr, *Triumfetta semitriloba*.
Staghorn fern (*Gleichenia linearis*).

Maximum Federal cost-share. 50 percent of the average cost of State Office approved chemicals, but not in excess of \$2 per acre per application.

§ 1105.444 *Practice 12. Initial application of organic mulch material to any cropland or eroded pasture areas for soil protection and moisture conservation.* Organic material must be of a fibrous nature and shredded, chopped, or crushed. Material such as sugarcane bagasse, cane leaf trash, pineapple trash, tree fern stumps, coarse grasses, coffee husks, sawdust, and wood shavings, as well as macadamia nut husks and shells, will be eligible. The mulch must be thick enough to completely cover the surface of soil areas treated. Receipts or invoices showing purchase of materials and cost of transportation will be

required by inspectors as evidence of compliance.

Maximum Federal cost-share. (a) 50 percent of the cost of material at the farm, but not in excess of \$50 per acre treated with materials secured from outside the farm.

(b) \$2.50 per acre with material produced on the farm.

§ 1105.445 Practice 13: Installation of pipelines for livestock water to obtain proper distribution of livestock and encourage rotation grazing and better grassland management as a means of protecting established vegetative cover. Installations in corrals, feed lots, and holding pens are not eligible. Receipts or invoices showing purchase of pipe used will be required to determine cost.

Maximum Federal cost-share. 50 percent of the average cost of pipe at the farm, except that the cost-share for pipe in excess of 2 inches in diameter may not exceed the cost which may be shared for 2-inch pipe.

§ 1105.446 Practice 14: Construction of permanent artificial watersheds and/or storage tanks for accumulating water to obtain proper distribution of livestock and encourage rotation grazing and better grassland management as a means of protecting established vegetative cover. No cost will be shared if part of the water impounded or supplied is used for irrigation or domestic purposes. Construction for purposes of starting new grazing operations is not eligible. The practice is not applicable alone for corrals, feed lots, and holding pens. Receipts or invoices showing purchase of materials used will be required to determine cost. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office.

Maximum Federal cost-share. (a) 50 percent of the cost material used, other than concrete and rubble masonry.

(b) \$12 per cubic yard of concrete used.
(c) \$7 per cubic yard of rubble masonry used.

§ 1105.447 Practice 15: Construction of permanent fences to obtain better distribution and control of livestock grazing on range or pasture land and to promote proper management for protection of established forage resources, or to protect farm woodland from grazing. No cost may be shared for the maintenance or repair of existing fences or for construction of boundary fences including road fences. Required fencing of forest reserve land is not eligible. Any fencing necessary to the working of cattle (including pens, corrals, and feed lots) is ineligible. Receipts or invoices showing purchase of materials will be required to determine cost.

Maximum Federal cost-share. (a) 50 percent of the average cost at the farm of posts, wire, poles, lumber, staples, or other similar fencing materials used.

(b) \$0.10 per linear foot of rock wall, minimum dimensions of which shall be: height, 4 feet; base width, 36 inches; top width, 24 inches.

§ 1105.448 Practice 16: Construction of dams, pits, or ponds for livestock water including the enlargement of inadequate structures. The development must contribute to a better distribution of grazing or better pasture manage-

ment. Initial construction projects not eligible. Receipts or invoices showing purchase of material used in construction will be required by inspectors as evidence of cost. Earth fills should be constructed in accordance with supplemental specifications for "Small Earth Storage Dams" provided on request by SCS or ASC offices.

Maximum Federal cost-share. (a) \$0.14 per cubic yard of material moved.

(b) \$12 per cubic yard of concrete used.
(c) \$7 per cubic yard of rubble masonry used.

(d) 50 percent of the cost of fencing materials, pipe, and seeding or sodding the dam and filter strips.

§ 1105.449 Practice 17: Constructing or enlarging dams, pits, and ponds to impound surface water for irrigation. No cost-sharing will be allowed for material moved in cleaning or maintaining a reservoir, or for dams, pits, or ponds, the primary purpose of which is to provide water for irrigating land which was not under irrigation prior to the 1955 crop year. Receipts or invoices showing purchase of materials used will be required by inspectors as evidence of cost. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office.

Maximum Federal cost-share. (a) \$0.14 per cubic yard of earth material moved.

(b) \$12 per cubic yard of concrete used.
(c) \$7 per cubic yard of rubble masonry used.

(d) 50 percent of the average cost of pipe and outlet gates.

(e) 50 percent of the average cost of seeding or sodding dams or filter strips.

(f) 50 percent of the average cost of materials, other than concrete and rubble masonry, used in permanent structures, including soil sealing.

§ 1105.450 Practice 18: Reorganizing farm irrigation systems to conserve water and prevent erosion. The reorganization (a change for the better in style or method of conveying water to and in the fields) must be carried out in accordance with a reorganization plan approved by the responsible technician. Receipts or invoices showing purchase of materials or equipment and records of labor employed will be required by inspectors as evidence of installation costs. No cost-sharing will be allowed for repairs or replacements of existing structures. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office.

Maximum Federal cost-share. (a) \$0.10 per cubic yard of earth material moved in the construction or enlargement of permanent ditches, dikes, or laterals. No cost-sharing will be given for cleaning a ditch.

(b) Lining ditches or reservoirs:

(1) 50 percent of the average cost of approved material used, other than concrete and rubble masonry.

(2) \$12 per cubic yard of concrete used.

(3) \$7 per cubic yard of rubble masonry used.

(c) Constructing or installing permanent structures such as siphons, flumes, drop boxes or chutes, weirs, diversion gates, and permanently located pipe. No cost-sharing will be given for repairs or replacements of existing structures.

(1) 50 percent of the average cost of material used in permanent structures, other

than concrete and rubble masonry but excluding forms.

(2) \$12 per cubic yard of concrete used.

(3) \$7 per cubic yard of rubble masonry used.

(d) 50 percent of the average cost of pipe and fittings used for sprinkler irrigation. No cost-sharing will be allowed for repairs or replacements of existing structures. Total cost-share for portable pipe and fittings under this item shall not exceed \$100 per acre of reorganized irrigation.

§ 1105.451 Practice 19: Construction or enlargement of permanent open drainage systems to dispose of excess water on farmlands under cultivation or on pasturelands. No cost will be shared for material moved in cleaning or maintaining a ditch, or for structures installed for crossings, or other structures primarily for the convenience of the farm operator. Receipts or invoices showing purchase of seed or materials and records of labor employed and soil moved will be required by inspectors as evidence of construction work costs. Detailed specifications are contained in Soil Conservation Service Technical Standards on file in the State Office.

Maximum Federal cost-share. (a) \$0.10 per cubic yard of material moved.

(b) \$12 per cubic yard of concrete used.

(c) \$7 per cubic yard of rubble masonry used.

(d) 50 percent of the average cost of seed or planting materials for establishing suitable cover for protection against erosion on ditch banks and right-of-way, plus 50 percent of the average cost at the farm of the minimum required application of approved liming materials and commercial fertilizers, including nitrogen, for the establishment of the cover.

(e) 50 percent of the cost of materials and labor in dynamiting holes in pahoehoe type lava rock.

§ 1105.452 Practice 20: Planting, interplanting, or replanting forest trees or shrubs on farmland in windbreaks and farm woodlots or woodlands for erosion control, watershed protection, or forestry purposes. Plantings must be protected from fire and grazing. Fencing for protection of newly planted trees in farm woodlands under this practice against grazing is eligible for cost-sharing only if construction specifications in § 1105.447 (practice 15) are employed. Recommended species of trees are those listed in table 11 of Board of Agriculture and Forestry Biennial Report, June 30, 1952.

Maximum Federal cost-share. \$4 per 100 trees.

§ 1105.453 Practice 21. Installation of facilities for sprinkler irrigation of permanent pasture on sloping land for developing forage resources to encourage rotation grazing and better range management for protection of all grazing land in the farm against overgrazing and erosion. Installation of sprinkler irrigation facilities must be solely for irrigation of permanent pasture or area being established in permanent pasture on sloping land. The installation must be in accordance with a written plan approved by the responsible technician.

Maximum Federal cost-share. 50 percent of the cost at the farm of all necessary pipes and fittings, but not in excess of \$100 per acre irrigated by the installation.

Done at Washington, D. C., this 22d day of September 1954.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-7570; Filed, Sept. 27, 1954;
8:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1954 C. C. C. Wheat Bulletin A, Rev. Amdt. 2]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1954 WHEAT PRICE SUPPORT PROGRAM

WHEAT ACREAGE

The following amendment to 1954 C. C. C. Wheat Bulletin A, Revised, as amended (18 F. R. 7813, 19 F. R. 1501) is issued for the purpose of affording wheat producers who have not harvested their 1954 wheat crop an opportunity to adjust their planted acreage to their 1954 wheat acreage allotments.

Section 421.428 (c) (1) of the 1954 C. C. C. Wheat Bulletin A, Revised, as amended, is further amended to read as follows:

§ 421.428 Definitions. * * *

(c) *Wheat acreage.* (1) Wheat acreage means (i) any acreage seeded to wheat, excluding any acreage (a) seeded to a wheat mixture in wheat mixture counties approved by the Director of the Grain Division, CSS, or (b) which does not reach maturity because it is, while still green, turned under, pastured off, or cut for silage, and (ii) any acreage of volunteer (self-seeded) wheat which reaches maturity. *Provided*, That acreage under subdivisions (i) and (ii) of this subparagraph in excess of the 1954 farm acreage allotment for the farm shall not be regarded as wheat acreage if it is (1) not left standing in the field on a date prior to harvest, such date to be determined by the county committee with the approval of the State committee, and (2) not harvested as wheat.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies Sec. 5, 62 Stat. 1072; Secs. 401, 408, 63 Stat. 1054; 15 U. S. C. 714c, 7 U. S. C. 1421, 1428, Sec. 311b, 68 Stat. 897; 7 U. S. C. 1374)

Done at Washington, D. C., this 22d day of September 1954.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-7571; Filed, Sept. 27, 1954;
8:48 a. m.]

[1954 CCC Peanut Bulletin 721
(Peanuts-54)-1]

PART 446—PEANUTS

SUBPART—1954 CROP PEANUT PRICE SUPPORT PROGRAM

This bulletin contains the regulations applicable to the 1954 crop Peanut Price

Support Program, under which the Secretary of Agriculture makes price support available through the Commodity Credit Corporation and the Commodity Stabilization Service (hereinafter referred to as CCC and CSS respectively)

Sec.	
446.601	Administration.
446.602	Availability.
446.603	Methods of price support.
446.604	Definitions.
446.605	Support prices.
446.606	Price support schedule.
446.607	Eligible peanuts.
446.608	Eligible producer.
446.609	Type and grade.
446.610	Approved lending agencies.
446.611	Service charges and fees.
446.612	Interest rate.
446.613	Personal liability of the borrower.
446.614	Payments and collections; amounts not exceeding \$3.00.
446.615	Set-offs.
446.616	Purchase of notes.
446.617	Foreclosure.
446.618	Farm storage loan provisions.
446.619	Loans to cooperatives.

AUTHORITY: §§ 446.601 to 446.619 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421.

§ 446.601 *Administration.* (a) The program will be administered by the Oils and Peanut Division, CSS, under the general direction and supervision of the Executive Vice-President, CCC. In the field the program will be carried out by Agricultural Stabilization and Conservation State committees and by Agricultural Stabilization and Conservation county committees (hereinafter called State and county committees) and the Dallas CSS Commodity office, (hereinafter called the commodity office) State and county committees and the commodity office do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements thereto. All documents in connection with farm storage loans will be completed and approved in the county office which keeps the farm program records. The county office will retain copies of all such documents.

(b) Cooperatives operating under a Cooperative Loan Agreement, CCC Peanut Form 27 (1954) with CCC, (hereinafter referred to as an Agreement with CCC) may receive, arrange for storage, and handle eligible peanuts for and on behalf of eligible producers, using such peanuts as collateral for a loan made available by CCC.

§ 446.602 *Availability*—(a) *Areas.* The program will be available in the following areas:

(1) The Southeastern area consisting of the States of Alabama, Georgia, Mississippi, Florida, and that part of South Carolina south and west of the Santee-Congaree-Broad Rivers.

(2) The Southwestern area consisting of the States of Arizona, Arkansas, California, Louisiana, New Mexico, Oklahoma, and Texas.

(3) The Virginia-Carolina area consisting of the States of Missouri, North Carolina, Tennessee, Virginia, and that part of South Carolina north and east of the Santee-Congaree-Board Rivers.

(b) *Time.* Loans will be made through January 31, 1955, and will mature on

May 31, 1955 or such earlier date as may be specified by CCC. All farm storage loan documents must be dated and delivered to the county office on or before January 31, 1955. Warehouse receipts for peanuts delivered to a cooperative operating under an agreement with CCC must show that the peanuts were received not later than January 31, 1955, and that the receipt was issued within 24 hours after the peanuts were received in the warehouse.

§ 446.603 *Methods of price support.* CCC will support the price of eligible 1954 crop quota peanuts through non-recourse farm storage loans to eligible producers and non-recourse warehouse storage loans to cooperatives operating under an agreement with CCC.

§ 446.604 *Definitions.* As used in this subpart and in instructions and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) *Cooperative.* A group of producers organized in accordance with the provisions of the Capper-Volstead Act, for the purpose of handling peanuts for and on behalf of its producer members, which is approved as a cooperative within the State(s) in which it functions, and which is approved by CCC; *Provided*, That,

(1) The major portion of the peanuts handled by the cooperative are delivered to the cooperative by producer members;

(2) The members and any non-members for whom the cooperative handles peanuts have a right to share prorata in the profits made from handling peanuts;

(3) The cooperative has the legal right to pledge or mortgage the peanuts which it receives from producers, and the producers have no right to redeem or obtain possession of their peanuts after delivery to the cooperative;

(4) The manager of the cooperative must not be engaged in the business of buying, selling, storing, or dealing in peanuts, other than in his capacity as manager of the cooperative or as a producer; and

(5) The cooperative shall maintain such accounts and records as CCC may prescribe.

(b) *County office.* The office of the county committee where records for the farm are kept.

(c) *Excess moisture (for purposes of determining net weight)* The percentage of moisture in excess of 7 percent in the Southeastern and Southwestern areas and in excess of 8 percent in the Virginia-Carolina area.

(d) *Farm.* A farm as defined in the marketing quota regulations which generally refers to all adjacent or nearby farmland which is operated as one farming unit.

(e) *Farm allotment.* The farm peanut acreage allotment for the 1954 crop of peanuts established pursuant to the marketing quota regulations.

(f) *Farmers' stock peanuts.* Picked or threshed peanuts produced in the continental United States during the calendar year 1954, which have not been shelled, crushed, cleaned (except for re-

moval of foreign material) or otherwise changed from the state in which picked or threshed peanuts are customarily marketed by producers.

(g) *Farm peanut acreage.* The 1954 farm peanut acreage determined in accordance with the marketing quota regulations which generally refers to the total acreage of peanuts on the farm which is picked or threshed.

(h) *Grade.* The percentages of sound mature kernels, damaged kernels, other kernels, foreign material, moisture, loose-shelled kernels, and also the percentage of extra large kernels in the case of Virginia type peanuts.

(i) *Lot.* That quantity of peanuts for which one inspection memorandum is issued.

(j) *Marketing quota regulations.* The Marketing Quota Regulations for 1954 Crop of peanuts issued by the Secretary of Agriculture, including any amendments or supplements thereto (18 F. R. 6372 and 19 F. R. 2505)

(k) *Net weight.* That weight obtained by multiplying the gross weight by a percentage equal to 100 percent minus the sum of the percentages of foreign material and excess moisture.

(l) *Operator.* The person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(m) *Producer.* A person who, as landowner, landlord, tenant, or sharecropper, is entitled to share in the peanuts produced on the farm or in the proceeds thereof.

(n) *Quota peanuts.* Farmers stock peanuts which are within the amount of the farm marketing quota determined pursuant to the marketing quota regulations.

(o) *Type.* The generally known types of peanuts (i. e., Runner, Spanish, Valencia, and Virginia) as defined in Marketing Quota Regulations for Peanuts of the 1953 Crop, 1023 (Peanuts 53)-1, (18 F. R. 1881) (7 CFR Part 729) except that any peanuts which would otherwise be considered Virginia type but which contain less than 25% "Fancy" size (peanuts riding a $3\frac{1}{4} \times 3$ inch slotted screen) will be considered Runner type peanuts.

(p) *Within quota card.* MQ-76 Peanuts (1954) or MQ-76-VC Peanuts (1954) 1954 Peanut Within Quota Marketing Card. MQ-76 will be issued for farms in the Southeastern area and in the Southwestern area. MQ-76-VC will be used for farms in the Virginia-Carolina area. In accordance with the Marketing Quota Regulations for the 1954 Crop, 1026 (Peanuts 54)-1, these cards will be issued for farms for which it is determined that the farm peanut acreage is not in excess of the larger of the farm allotment or one acre. A within quota card authorizes the marketing of all peanuts produced on the farm without payment at the time of marketing of the penalty prescribed in the Marketing Quota Regulations for 1954 Crop, 1026 (Peanuts 54)-1.

§ 446.605 *Support prices.* The national average support price is \$244.80 per ton. The support prices and loan rates by types, and the premiums and dis-

counts with respect thereto, are contained in § 446.606.

§ 446.606 *Price support schedule.* The following Price Support Schedule applies to net weight farmers stock peanuts. The prices are for peanuts in bulk in the Southeastern area and in bags in the Southwestern and Virginia-Carolina areas. The term "Southeastern Spanish" refers to Spanish-type peanuts produced east of the Mississippi River and the term "Southwestern Spanish" refers to Spanish-type peanuts produced west of the Mississippi River.

(a) *Base grade prices.* The base grade support prices for the various types and grades of peanuts shall be as follows:

	Per ton
Virginia type, 65 percent sound mature kernels.....	\$236.00
Runner type, 65 percent sound mature kernels.....	220.00
Southeastern Spanish, 70 percent sound mature kernels.....	241.00
Southwestern Spanish, 70 percent sound mature kernels.....	237.00

(b) *Premiums and discounts.*—(1) *Sound mature kernels.* For each one percent sound mature kernel content above or below the base grade, the premium or discount, whichever is applicable, shall be as follows:

	Per ton
Virginia type.....	\$3.70
Runner type.....	3.40
Southeastern Spanish type.....	3.50
Southwestern Spanish type.....	3.40

The term "sound mature kernel" means kernels which are free from damage as defined in the U. S. Standards for farmers stock (i) white Spanish peanuts in the case of Spanish and Valencia peanuts and (ii) Runner and Virginia peanuts, respectively, in the case of Runner and Virginia peanuts; and which will not pass through a screen having:

(a) $1\frac{1}{4} \times \frac{3}{4}$ inch perforations in the case of Spanish peanuts.

(b) $1\frac{1}{4} \times 1$ inch perforations in the case of Virginia peanuts, and

(c) $1\frac{1}{4} \times \frac{3}{4}$ inch perforations in the case of Runner and Valencia peanuts.

(2) *Damaged kernels.* The discount for damage in excess of one percent shall be as follows per ton by types:

Peanuts containing damaged kernels of—	Virginia	Runner	Spanish	
			South-eastern	South-western
2 percent.....	\$3.70	\$3.40	\$3.50	\$3.40
3 percent.....	7.40	6.80	7.00	6.80
4 percent.....	12.05	11.00	12.25	11.00
5 percent.....	20.35	18.70	20.25	18.70
6 percent.....	27.75	25.60	27.25	25.60
7 percent.....	33.85	33.70	33.75	33.70

Peanuts containing damaged kernels of 8 percent and over shall not be eligible for price support.

(3) *Foreign material.* The discount for each full 1 percent foreign material in excess of 4 percent and not over 10 percent shall be \$1.00 per ton. Peanuts with more than 10 percent foreign material shall not be eligible for price support.

(4) *Loose-shelled kernels.* Discount for loose shelled kernels in farmers stock peanuts shall be at the rate of 50

cents per ton for each full 1 percent of loose shelled kernels above 5 percent.

(5) *Extra large kernels.* For Virginia type peanuts the premium for each full 1 percent extra large kernels in excess of 15 percent shall be \$1.25 per ton. "Extra large kernels" means any shelled Virginia peanuts which are whole and which are free from noticeably discolored or damaged peanuts as defined in the U. S. Standards for Shelled Virginia Peanuts (effective November 1, 1939) and which will not pass through a screen having $2\frac{1}{2} \times 1$ inch perforations.

(c) *Other.*—(1) *Virginia type peanuts.* Any lot or load of peanuts which would otherwise be considered Virginia type but which contains less than 25 percent "Fancy" size (peanuts riding a $3\frac{1}{4} \times 3$ inch slotted screen) shall be considered Runner type peanuts.

(2) *Valencia type peanuts.* The support price for Valencia type peanuts containing less than 25 percent discoloration and damage caused by cracked or broken shells shall be the same as the support price for Virginia type peanuts of the same grade, except that no premium is applicable for extra large Valencia kernels. For other Valencia type peanuts the support price shall be the same as the support price for Spanish peanuts of the same grade and in the same area.

§ 446.607 *Eligible peanuts.* Peanuts eligible for price support must meet the following requirements:

(a) Such peanuts must be 1954 crop farmers stock quota peanuts which contain 10 percent or less foreign material, 7 percent or less damaged kernels and, in the case of a farm storage loan, not more than 10 percent moisture when placed under loan, and in the case of a loan to a cooperative, a percentage of moisture not in excess of that specified by the cooperative at the time the peanuts are received in the warehouse.

(b) (1) Such peanuts must be produced by an eligible producer on a farm (i) on which the 1954 farm peanut acreage does not exceed the larger of the 1954 allotment for such farm or one acre, or (ii) for which a within quota marketing card is issued to the producer or operator upon the execution of Form MQ-92—Peanuts (1954) "Agreement by Operator of Overplanted Farm, 1954 Peanut Program" in which he agrees (a) that the farm peanut acreage will not exceed the larger of the farm allotment or one acre, and (b) if such undertaking is breached to pay liquidated damages to CCC, determined in accordance with the terms of such agreement, and to pay any marketing penalties determined to be due the Secretary of Agriculture.

(2) The liquidated damages payable to CCC under such agreement may be waived to such extent as the Executive Vice-President of CCC or his designated representative may determine appropriate in any case where he determines (i) that the breach of such agreement was unintentional and occurred despite a bona fide effort by the operator and other producers on the farm to comply with the agreement and (ii) that the amount by which the farm peanut acreage exceeded the acreage specified in the

agreement was so small, in relation to the acreage so specified, that it did not materially impair CCC's price support operations.

(3) Copies of Form MQ-92—Peanuts (1954) may be obtained from the county committee. The county committee may decline to execute Form MQ-92—Peanuts (1954) in any case where it finds reasonable grounds to believe that such agreement will be used as a device to evade the requirements of this program or the collection of marketing penalty.

(c) Such peanuts must be identified by a within quota marketing card in accordance with the marketing quota regulations;

(d) Such peanuts must be free and clear of all liens and encumbrances, including landlord's liens, or if liens or encumbrances exist on the peanuts, acceptable waivers must be obtained: *Provided, however*, That peanuts under a loan to a cooperative may be subject to liens for warehouse charges specified in CCC Peanut Form 28 (1954).

(e) If the peanuts are delivered in bags, no part of the bag shall be made of sisal fibers, and the weight of the empty bag shall not exceed ten ounces per square yard.

§ 446.608 *Eligible producer.* (a) A producer will be eligible for price support with respect to all eligible peanuts in which the beneficial interest is in him and has always been in him or in him and a former producer whom he succeeded before the peanuts were harvested.

§ 446.609 *Type and grade.* Inspectors authorized or licensed by the Secretary of Agriculture shall determine the type and grade of all peanuts which are to be:

(a) Mortgaged as security for a farm storage loan, such type and grade to be determined on the basis of a sample taken by the county committee before the loan is made; but the settlement value of the mortgaged peanuts delivered in satisfaction of the loan will be computed on the basis of the grade determined at the time such peanuts are delivered.

(b) Stored in a warehouse under contract CCC Peanut Form 28 (1954) such type and grade to be determined at the time the peanuts are delivered to the warehouse.

(c) Delivered to CCC from a warehouse under contract CCC Peanut Form 28 (1954) such type and grade to be determined at the time the peanuts are loaded out of the warehouse.

§ 446.610 *Approved lending agencies.* An approved lending agency shall be a bank or other financial organization with which CCC has entered into a lending agency agreement on CCC Form 322 in the case of producer farm storage loans and on CCC Peanut Form 50 in the case of loans to peanut cooperatives.

§ 446.611 *Service charges and fees.* (a) On the quantity of peanuts placed under a farm storage loan the producer shall pay an initial service charge in the amount of 30¢ per ton, except that the minimum charge shall be \$3.00. An additional service charge at the rate of 30¢

per ton shall be paid on any additional quantity delivered to and accepted by CCC. No refund of service charges will be made. State committees, may at their option, require a deposit on farm storage loans, such deposit to be applied against the service charge when the loan is granted.

(b) The producer or cooperative will pay the inspection fee applicable to the quantity of peanuts placed under a farm storage loan or loan to a cooperative. CCC will pay the inspection fee for loan collateral peanuts delivered to CCC.

(c) An amount to cover warehouse storage charges through May 31, 1955, will be deducted from the proceeds of any loan to a cooperative. The cooperative will pay the warehouse receiving, storage and handling charges on peanuts redeemed.

(d) The service charges and fees specified in this section will be computed on gross weights.

§ 446.612 *Interest rate.* Farm storage loans and loans to cooperatives shall bear interest at the rate of 3½ percent per annum from the date of disbursement of the loan, except that where there is a default in satisfaction of a loan on farm stored peanuts the deficiency (including accrued interest and costs incurred by the holder of the note) shall bear interest at the rate of 6 percent per annum from the date of default.

§ 446.613 *Personal liability of the borrower.* The making of any fraudulent representation in obtaining price support or the conversion or unlawful disposition of any portion of the peanuts by the borrower may render such borrower subject to criminal prosecution under Federal law and liable for the amount received (plus interest) and for any resulting expense incurred by any holder of the note.

§ 446.614 *Payments and collections; amounts not exceeding \$3.* To avoid administrative costs of making small payments and handling small accounts, amounts of \$3 or less due a producer will be paid only upon request; and a deficiency of \$3 or less, including interest, may be disregarded by a producer unless demand for payment is made by CCC.

§ 446.615 *Set-offs.* (a) If a producer who obtains a loan is indebted to CCC on any accrued obligation, or if any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are past due, or are payable or prepayable under the provisions of the note evidencing such loan out of the proceeds of the price support loan, such producer must designate CCC or the lending agency holding such note as the payee of the proceeds of the price support loan to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service charges and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided in this section. Indebtedness owing to CCC or to a lend-

ing agency as provided in this section shall be given first consideration after claims of prior lienholders.

(b) Cooperatives shall deduct from their advance payments to producers and remit in accordance with procedure approved by CSS, the amount of indebtedness as shown on the marketing cards presented at the time the peanuts are received.

(c) Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 446.616 *Purchase of notes.* (a) The county committee, acting on behalf of CCC, will purchase from approved lending agencies notes evidencing approved farm-storage loans which are secured by chattel mortgages. The purchase price will be the principal sums remaining due on such notes plus interest computed according to the lending agency agreement. Lending agencies shall submit notes and reports to the county office where the loan documents were approved.

(b) Lending agencies making loans to cooperatives may assign all or part of such loans to CCC and obtain payment from CCC for the amounts assigned by means of sight drafts drawn on CCC payable through a designated Federal Reserve Bank or Branch Bank. Lending agencies may act as agent for CCC in servicing the loan or portion thereof assigned to CCC.

§ 446.617 *Foreclosure.* If the loan is not satisfied upon maturity by payment or by delivery of the peanuts from farm storage, the holder of the note may remove the peanuts and sell them either by separate contract or after pooling them with other lots of peanuts similarly held. If the peanuts are pooled, the borrower has no right of redemption after the date the pool is established, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled peanuts as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers; and not unduly impair the market for the current crop of peanuts, even though part or all of such pooled peanuts are disposed of under such policies at prices less than the current domestic price. Any sum due the borrower as a result of the sale of the peanuts or of the receipt of insurance proceeds paid thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the borrower without right of assignment.

§ 446.618 *Farm storage loan provisions.* Loans will be available to eligible producers on eligible peanuts in approved farm storage. Producers who want to obtain such loans will apply at the county office which will arrange for inspection of the storage facilities and for inspection, sampling and grading of the peanuts. After it is determined that the producer, the peanuts, and the storage facilities meet the requirements there-

for, the county office will determine the amount of the loan and prepare and approve the loan documents. After the loan documents are approved, the producer may obtain the loan from any approved lending agency or from CCC. The producer may deliver the peanuts to CCC upon maturity of the loan, or may redeem the peanuts at any time prior to such delivery by repaying the amount of the loan plus interest and charges.

(a) *Approved farm storage.* Approved farm storage shall consist of storage structures located on or off the farm (excluding public warehouses) which are determined by the county office to be so located and of such substantial and permanent construction as to afford safe storage of peanuts. Such structure shall be dry and well-ventilated.

(b) *Method of determining quantity—*
(1) *Peanuts placed under loan.* The net weight of the peanuts to be placed under a farm storage loan will be calculated from an estimated gross weight determined as provided in this section. A 5 percent minimum reduction in such estimated gross weight is required in an effort to avoid underdelivery at maturity in the event the loan is not repaid.

(i) *Peanuts stored in bulk.* The gross weight of bulk peanuts placed under a farm storage loan may be determined either by weight or by measurement. When the quantity is determined by measurement, the gross weight shall be computed on the number of pounds per cubic foot for the type of peanuts indicated below (such number of pounds has been reduced by approximately 5 percent from the estimated actual weight)

Type:	Weight per cu. ft. (pounds)
Runner	17.0
Spanish	19.0
Valencia	17.0
Virginia	12.0

If the gross weight of bulk peanuts is determined by actual weight instead of by measurement, deduct from such weight an amount specified by the State committee, which amount shall be not less than 5 percent of such gross weight.

(ii) *Peanuts stored in bags.* The approximate gross weight of bagged peanuts to be placed under loan shall be determined by weighing all of the bags or by weighing a sufficient number of bags to estimate the gross weight of all the bags, and then by deducting therefrom an amount specified by the State committee, which amount shall be not less than 5 percent of such gross weight.

(2) *Peanuts delivered to CCC at maturity.* The net weight of peanuts delivered to CCC upon maturity of the loan shall be calculated from the gross weight determined by actual weight at the time of delivery.

(c) *Forms.* Loan forms shall consist of Commodity Loan Form A, Producer's Note and Supplemental Loan Agreement, secured by Commodity Loan Form AA, Commodity Chattel Mortgage, and such other forms and documents as may be required by CCC. Commodity Loan

Forms A and AA must have State and documentary revenue stamps affixed thereto where required by law. Loan documents executed by an administrator, executor, or trustee, will be acceptable only where legally valid.

(d) *Disbursement.* Disbursement of farm storage loans will be made by approved lending agencies or by sight drafts drawn on CCC and issued by the county office. Disbursement, regardless of where made, shall not be made after February 15, 1955, unless authorized by the Executive Vice President, CCC. Payment in cash, credit to the producer's account, or the drawing of a check or draft shall constitute disbursement. The date of such draft, check, credit, or cash payment shall be considered as the date of disbursement of the funds. The producer shall not present the loan documents for disbursement unless the peanuts are in existence and in good condition. If the peanuts are not in existence or not in good condition at the time of disbursement, the proceeds shall be promptly refunded by the producer. In the event the amount disbursed exceeds the amount authorized, the producer shall be personally liable for repayment of the amount of such excess.

(e) *Insurance.* CCC will not require the borrower to insure the peanuts placed under a farm-storage loan. However, if a borrower does insure such peanuts and an insurance indemnity is paid thereon, the insurance proceeds must be paid to CCC to the extent of its interest, after first satisfying the borrower's equity in the peanuts involved in the loss.

(f) *Safeguarding the peanuts.* The producer who obtains a farm storage loan is obligated to maintain the storage structure in good repair and to keep the peanuts in good condition until the loan is liquidated.

(g) *Loss or damage to the peanuts under farm storage loan.* (1) The producer is responsible for any loss in grade and for any loss in weight, except that CCC will assume uninsured physical loss or damage occurring after disbursement of the loan funds without fault, negligence or conversion on the part of the producer or of any other person having control of a storage structure not located on the farm, provided such loss or damage (i) resulted solely from an external cause other than insect infestation, vermin or rodents and the producer gave the county committee immediate notice confirmed in writing of such loss or damage, or (ii) resulted from insect, vermin or rodent damage occurring after the producer has given the county office notice in writing of the presence of insects, vermin or rodents and the county office has by inspection verified the presence of insects, vermin or rodents. Losses under the provisions of this subsection will be assumed by CCC to the extent of the settlement value of the quantity destroyed or in an amount equivalent to the extent of the damage, as determined by CCC, provided there has been no fraudulent misrepresentation made by

the producer in the loan documents or in obtaining the loan.

(2) No physical loss or damage occurring prior to disbursement of the loan funds will be assumed by CCC.

(h) *Redemption of the peanuts under farm storage loan.* A producer may, at any time prior to the date on which the peanuts are delivered to or removed by CCC pursuant to paragraph (i) of this section, redeem the peanuts remaining under farm storage loan by paying to the holder of the note and supplemental loan agreement the principal amount thereof, plus charges and accrued interest. All charges in connection with the collection of the note shall be paid by the producer. Upon presentation of evidence of payment, the county office shall arrange for the release of the chattel mortgage. Partial release of the peanuts prior to maturity may be arranged with the county office after making payment to the holder of the note for the quantity of peanuts to be released, plus charges and accrued interest; however, if the quantity of peanuts contained in the bin or crib and covered by the chattel mortgage is greater than the quantity with respect to which the amount of the loan was computed, all or part of such excess may be removed without payment on the loan, but only upon prior approval of the county office.

(i) *Settlement of farm storage loans.*

(1) The producer is required to pay off the loan on or before maturity or to deliver the peanuts in accordance with instructions issued by the county office. If the producer fails to deliver mortgaged peanuts as instructed, he will be responsible for all costs of removal incurred by the holder of the note.

(2) If the peanuts are, or are in danger of, going out of condition, the producer shall notify the county office which shall determine whether the peanuts must be delivered before the maturity date of the loan. If CCC is unable to take delivery within a reasonable length of time, the producer may request and obtain through the county office an inspection and grade determination to be made at the expense of CCC. When delivery is completed, settlement shall be made on the basis of such grade or the grade determined at the time of delivery, whichever is higher.

(3) In the event the farm is sold or there is a change of tenancy, the peanuts may be delivered before the maturity date of the loan, upon prior approval by the county office. Peanuts also may be delivered before the maturity date of the loan for other reasons upon authorization by the Executive Vice President, CCC.

(4) Settlement for peanuts delivered to CCC will be made, subject to the provisions of the Producers Note and Supplemental Loan Agreement, at the applicable support price for the type, grade (except as provided above for peanuts going out of condition) and quantity, plus an allowance of four-tenths of a cent (\$.0004) per net weight pound delivered, for shrinkage during the storage period of the peanuts delivered and ac-

cepted by the county committee: *Provided, however* That the settlement value for peanuts delivered to CCC which do not meet the eligibility requirements with respect to moisture, damage or foreign material shall be determined at the support price for the grade placed under loan, less the difference, if any, at the time of delivery, between the market price for the grade placed under loan and the market price of the peanuts delivered, as determined by CCC. Delivery of peanuts in bulk will be accepted only from the structure(s) in which the peanuts under loan are stored. In the case of peanuts stored in bags, only the identical bags under loan may be delivered.

§ 446.619 *Loans to cooperatives.* A cooperative which desires to receive, arrange for storage and handle peanuts for and on behalf of producers who have the right to share in its profits from the handling of such peanuts, may obtain a loan on all eligible peanuts handled on behalf of eligible producers, stored in approved warehouses, and represented by warehouse receipts in a form prescribed by CCC. Such loan will be made pursuant to the terms of the Cooperative Loan Agreement, CCC Peanut Form 27 (1954) between the cooperative and CCC, and shall be evidenced by a blanket note in form prescribed by CCC. The cooperative may receive eligible peanuts from eligible producers who are not members of the cooperative and use such peanuts as loan collateral. Approved storage for peanuts under loan to a cooperative will be warehouses approved pursuant to instructions issued by CCC and operated under contract with the cooperative or with CCC. The names and locations of such warehouses may be obtained from the cooperative or the county office. The cooperative may obtain the loan from an approved leading agency or from CCC. Each producer from whom the cooperative receives peanuts must present his within quota card at the time he delivers the peanuts for storage. For each lot of peanuts received, the cooperative shall make an advance payment to the producer in the amount of the loan value of such peanuts less deductions approved by CCC. At any time on or before maturity, the cooperative may redeem peanuts by repaying the loan with respect to such peanuts, plus interest and charges, or the cooperative may request that peanuts be released on a trust receipt pursuant to the terms of the Cooperative Loan Agreement. The cooperative shall distribute to the producers from whom it receives peanuts all proceeds from the handling of such peanuts under loan, less operating expenses, unless other disposition of such proceeds is approved by CCC.

Issued this 22d day of September 1954.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-7592; Filed, Sept. 27, 1954;
8:53 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53593]

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

REQUIREMENTS FOR ADDITIONAL INFORMATION ON CERTIFIED OR COMMERCIAL INVOICES OF CERTAIN COAL-TAR PRODUCTS

On March 13, 1954, notice was given in the FEDERAL REGISTER (19 F. R. 1423) that, pursuant to paragraph 28 (f) Tariff Act of 1930, as amended (19 U. S. C. 1001, paragraph 28 (f)) the Bureau of Customs was considering amending § 8.13 (h) of the Customs Regulations and Treasury Decision 39744 (44 T. D. 41) with reference to the information required to be furnished on invoices covering importations of any coal-tar color, dye, stain, color acid, color base, color lake, leuco compound, indoxyl, or indoxyl compound.

In response to this notice, numerous representations were received that the proposed regulations were unreasonable in certain respects. These representations, in substance, objected to the mandatory requirement for the scientific name or the common name of the intermediate or intermediates used in the final stages of production of the finished product because such specific information would disclose, in certain cases, trade secrets and manufacturing processes. Accordingly, the matter was given further consideration which included the requiring of more complete information on the chemical classification than was proposed and the requiring of color cards. It is believed that, under current conditions, the additional required information will form an adequate substitute for the scientific name of the intermediates.

In order to facilitate the comparison of certain imported coal-tar products with similar domestic products to determine their competitive status under the provisions of paragraph 28 of the Tariff Act of 1930, as amended, customs invoices for such products shall contain, in addition to all other information required by law or regulation, the data described in Schedule A.

SCHEDULE A

COAL-TAR COLORS, DYES, STAINS, COLOR ACIDS, COLOR BASES, COLOR LAKES, LEUCO AND INDOXYL COMPOUNDS

1. Invoice name of product -----
2. Trade name of product -----
3. Name of manufacturer -----
4. Name(s) under which sold in country of production -----
5. Name(s) of comparable American made product with name of U. S. manufacturer (if none or unknown, so state) -----
6. Percentage of active ingredient, -----
7. Schultz number (if none, so state) -----
8. Colour index number (if none, so state) -----
9. U. S. standard number (if none, so state) -----

If no number is inserted in Items 7, 8, or 9, the following additional information must be submitted:

10. Foreign prototype number (if none or unknown, so state) -----

11. Method of application (state whether acid, basic, direct, direct and developed, mordant, mordant acid, neutral, oil, oil and spirit, printing, spirit soluble, vat (soluble), vat (insoluble), or other (describe); and state nature of pre-treatment or after-treatment, if any) -----

12. Material to which applied (name the material or materials for which the color or dye is primarily designed). -----

A. Fibrous Materials:

- (1) Natural: Cotton; Silk; Wool; Hemp; Flax (Linen); Jute; Ramie; Straw and Grass; Sisal; Other Animal or Vegetable Fibers.

- (2) Synthetic (including regenerated and modified cellulose) Acetate (Celanese, Acele, Koda); Rayon; Cuprammonium (Bemberg, Matessa); Viscose (Avisco, Delray); Polyamide (Nylon, Perlon); Acrylic (Dynel, Acrilan, Orlon); Vinylidene Chloride (Saran, Velon); Polyethylene (Wynene, Reevon); Polyester (Dacron, Terylene); Protein (Azlon, Lanital, Aralac); Glass; Other

B. Non-Fibrous Materials:

- Plastics; Leather; Paper; Cellophane; Photographic sensitizers, desensitizers, light filters and tinting film; Foodstuffs; Biological materials; Solutions, Analytical; Oils, fats, and waxes; Soap; Gasoline; Paints, lacquers, stains, and inks; Smoke (signals); Aluminum; Earthenware; Other.

13. Chemical Classification: Acridine; Amino ketone; Anthraquinone; Azine; Azo, mono-, Azo, di-, Azo, tri-, Azo, tetra-, Azo, poly-, Azo, metal complex; Azo, pigment; Azole; Color acid; Color base; Color lake; Cyanine; Esters of leuco indigoid; Esters of leuco thioindigoid; Esters of leuco anthraquinone; Fluorescent; Hydroxyketone; Indamine; Indigoid; Indoaniline; Indophenol; Indoxyl; Indoxyl Compound; Ketol; Ketanimine; Lactone; Leuco Compound; Methane, diphenyl-, triphenyl-, Methane, triphenyl-, Methylene, aza-, Methylene, poly-, Nitro; Nitroso; Oxazine; Phthalocyanine; Quinoline; Quinonoid; Sulfur or sulfide; Thiazine; Thiazole; Thioindigoid; Xanthone; Other.

- A. Describe the class or classes and subclass to which the product belongs.

Example (1)

Monoazo.

Gamma-acid coupling.

Example (2)

Xanthen-Basic.

Oxy-carboxy rhodamines.

- B. Give any other information which you consider may be helpful in classifying the product.

Example (1)

- Insoluble azo dye on the fiber. Mixtures of stabilized diazo amino compounds and coupling components for preparation of the dye on the fiber.

Example (2)

Anthraquinone—Dispersion type.
Amino-oxy-anthraquinones.

14. If the product consists of a mixture of two or more active ingredients, the information required by the preceding numbered paragraphs shall be given for each active ingredient in the mixture, together with the proportion of each active ingredient in the mixture.
15. There shall be attached to the above specifications a color pattern or card showing typical small specimens of the material to which the color or dye has been applied with an indication of the strength and the method of application.

The information shall be furnished on separate sheets of paper, presenting it in the order and approximate position set forth in Schedule A. The information required by this regulation shall be given for shipments of any product covered by this regulation. However, for second and successive shipments to the same port of identical merchandise of the same name and strength, this data need not be supplied, a reference to the date of first shipment being sufficient. One copy of all the data specified in Schedule A, except the color card, shall be attached to each copy of the invoice. In addition to the number of copies otherwise required, one copy of the invoice with the attached data and the color card shall be furnished with the entry for the use of the customs laboratory.

T. D.'s 39566 and 39744 are hereby superseded. Section 3.13 of the Customs Regulations is hereby amended by substituting the number of this Treasury decision for the numbers of the three decisions now appearing opposite "Dyes, colors, stains, color acids, color bases, color lakes, leuco-compounds, indoxyl, and indoxyl compounds" in paragraph (h) and by amending the citation of authority to read: "(Secs. 1 (pars. 28 (f) 602) 481, 484, 46 Stat. 595, as amended, 631, 719, 722, as amended; 19 U. S. C. 1001 (pars. 28 (f) 602) 1481, 1484)".

In order to provide sufficient time to comply with these requirements, this amendment shall not become effective until 90 days after publication in the weekly Treasury Decisions.

(Sec. 624, 46 Stat. 759; 19 U. S. C. 1624.)

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: September 20, 1954.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F. R. Doc. 54-7534; Filed, Sept. 27, 1954;
8:51 a. m.]

[T. D. 53594]

PART 14—APPRAISEMENT

COAL TAR PRODUCTS

It has become necessary to establish a central reference file of samples of coal-tar products produced by domestic manufacturers, together with accompanying technical data, to enable customs officers to compare each imported coal-tar product with any comparable domestic product in order to ascertain its competitive tariff status. Heretofore, samples submitted informally by certain domestic manufacturers were not accompanied by adequate technical data for classification purposes and this has resulted in delay and difficulty in comparing them with imported products.

In order to facilitate the comparison of imported and domestic coal-tar products with respect to the competitive provisions of paragraph 28 of the Tariff Act of 1930, as amended, § 14.5 of the Customs Regulations is hereby amended by adding thereto new paragraphs (n) and (o) as follows:

§ 14.5 Coal-tar products. * * *

(n) The Chief Chemist, Customs Laboratory, 201 Varick Street, New York, is hereby authorized to receive from domestic manufacturers samples of those coal-tar products they produce and offer and which are more specifically described as a coal-tar color, dye, stain, color acid, color base, color lake, leuco-compound, or indoxyl or indoxyl compound. Each sample so received shall be accompanied by specifications setting forth all the information called for by Schedule A below. It is essential that the specifications accompanying the sample be set forth in the order and manner specified because the information will be used for comparison with similar data required on importations of foreign coal-tar products. The samples and specifications shall be examined and appropriately filed by the chief chemist. Samples and specifications shall be removed from, replaced, or added to the file as may be necessary. Information in respect of the specifications shall be treated as confidential, except for the purpose for which they are submitted (see § 26.4 (a) of this chapter)

SCHEDULE A

COAL-TAR COLORS, DYES, STAINS, COLOR ACIDS, COLOR BASES, COLOR LAKES, LEUCO AND INDOXYL COMPOUNDS

1. Invoice name of product _____
2. Trade name of product _____
3. Name of manufacturer _____
4. List other U. S. manufacturers and names under which sold, if known _____
5. List foreign manufacturers and names under which sold, if known _____
6. Percentage of active ingredient _____
7. Schultz number (if none, so state) _____
8. Colour index number (if none, so state) _____
9. U. S. standard number (if none, so state) _____
10. Foreign prototype number (if none or unknown, so state) _____
11. Method of application (state whether acid, basic, direct, direct and developed, mordant, mordant acid, neutral, oil, oil and spirit, printing, spirit soluble, vat (soluble), vat (insoluble), or other (describe); and state nature of pre-treatment or after-treatment, if any) _____
12. Material to which applied (name the material or materials for which the color or dye is primarily designed). _____

A. Fibrous Materials:

- (1) Natural: Cotton; Silk; Wool; Hemp; Flax (Linen); Jute; Ramie; Straw and Grass; Sisal; Other Animal or Vegetable Fibers.
- (2) Synthetic (including regenerated and modified cellulose): Acetate (Celanese, Acele, Koda); Rayon-Cuprammonium (Bemberg, Matesa); Viscose (Avicel, Delray); Polyamide (Nylon, Perlon); Acrylic (Dynel, Acrilan, Orlon); Vinylidene Chloride (Saran, Velon); Polyethylene (Wynlene, Reevon); Polyester (Dacron, Terylene); Protein (Aclon, Lanital, Aralac); Glass; Other.

B. Non-Fibrous Materials:

Plastics; Leather; Paper; Cellophane; Photographic sensitizers, desensitizers, light filters and tinting film; Food-stuffs; Biological materials; Solutions, analytical; Oils, fats, and waxes; Soap; Gacoline; Paints, lacquers, stains, and inks; Smoke (signals); Aluminum; Earthenware; Other.

13. Chemical Classification: Acridine; Aminobenzene; Anthraquinone; Azine; Azo, mono-, Azo, di-, Azo, tri-, Azo, tetrakis-, Azo, poly-, Azo, metal complex; Azo, pigment; Azole; Color acid; Color base; Color lake; Cyanine; Esters of leuco indigoid; Esters of leuco thio-indigoid; Esters of leuco anthraquinone; Fluorescent; Hydroxyketone; Indamine; Indigoid; Indoniline; Indophenol; Indoxyl; Indoxyl Compound; Isotel; Ketaniline; Ketone; Leuco Compound; Methane, diphenyl-, methyl-, Methane, triphenyl-, Methane, azo-, Methine, poly-, Nitro; Nitroso; Oxazine; Phthalocyanine; Quinoline; Quinonoid; Sulfur or sulfide; Thiazine; Thiazole; Thioindigoid; Xanthene; Other.

A. Describe the class or classes and subclass to which the product belongs.

Example (1) -

Monoazo.

Gamma-acid coupling.

Example (2) -

Xanthone—Basic.

Oxy-carbonyl rhodamine.

B. Give any other information which you consider may be helpful in classifying the product.

Example (1) -

Insoluble azo dye on the fiber. Mixtures of stabilized diazo amino compounds and coupling components for preparation of the dye on the fiber.

Example (2) -

Anthraquinone—Dispersion type.

Amino-ox-anthraquinones.

14. If the product consists of a mixture of two or more active ingredients, the information required by the preceding numbered paragraphs shall be given for each active ingredient in the mixture, together with the proportion of each active ingredient in the mixture.

15. There shall be attached to the above specifications a color pattern or card showing typical small specimens of the material to which the color or dye has been applied with an indication of the strength and the method of application.

(o) Whenever a sample taken from an imported coal-tar product referred to in § 8.13 (h) of this chapter, is received in the customs laboratory for test to determine its comparability with any domestic coal-tar product, the file of domestic samples and specifications referred to in paragraph (n) of this section shall be searched. If after searching the file and making any necessary tests, no comparable domestic product is found, the chief chemist shall prepare and submit his laboratory report accordingly.

To allow sufficient time to put in effect the procedure prescribed in paragraph (o) it shall not become effective until 9 days after publication of this document in the weekly Treasury Decisions.

(Secs. 1 (pars. 27, 23), 402, 624, 46 Stat. 592, 594, as amended, 703, as amended, 759; 19 U. S. C. 1001 (pars. 27, 23), 1402, 1624)

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: September 20, 1954.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F. R. Doc. 54-7535; Filed, Sept. 27, 1954;
8:51 a. m.]

[T. D. 53595]

PART 19—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN**INSPECTION STAMPS FOR CIGARS MANUFACTURED IN CUSTOMS BONDED MANUFACTURING WAREHOUSES**

As the cost of printing the small-sized (4" x 1½") customs inspection stamp required to be affixed to boxes containing cigars manufactured in bonded warehouses has increased, it is necessary to increase the sales price of such stamp from \$1.25 to \$1.35 per thousand. Accordingly, the second sentence of § 19.16 (e), Customs Regulations, is amended to read as follows:

§ 19.16 Cigar manufacturing warehouses. * * *

(e) * * * "These stamps shall be sold to manufacturers by collectors of customs at the following prices: \$1.35 per thousand for the small stamp, 4" x 1½" in size, and \$1.50 per thousand for the large stamp, 8" x 1½" in size."

(Sec. 311, 46 Stat. 691, as amended; 19 U. S. C. 1311)

This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

[SEAL] **RALPH KELLY,**
Commissioner of Customs.

Approved: September 22, 1954.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F. R. Doc. 54-7586; Filed, Sept. 27, 1954; 8:51 a. m.]

TITLE 20—EMPLOYEES' BENEFITS**Chapter I—Bureau of Employees' Compensation, Department of Labor****EXTENSION OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT TO PERSONS EMPLOYED IN CERTAIN OPERATIONS ON OUTER CONTINENTAL SHELF**

In order to implement the extension of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, as amended, 33 U. S. C. 901 et seq.) to cases of disability or death of employees in certain operations conducted on the outer Continental Shelf as provided by section 4 (c) of the Outer Continental Shelf Lands Act (67 Stat. 462, 43 U. S. C. Supp. 1, 1331 et seq.) it is necessary to supplement the regulations issued under the Longshoremen's and Harbor Workers' Compensation Act.

Accordingly, by virtue of the authority vested in me as the Director, Bureau of Employees' Compensation, Department of Labor by General Order No. 46 (15 F. R. 3290) and Reorganization Plan No. 19 of 1950 (15 F. R. 3178, 39 Stat. 742) and pursuant to section 39 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1442; 33 U. S. C. 939) as extended by the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U. S. C. Supp. 1, 1331) and in accordance with the Notice of Proposed Rule Making published in the FEDERAL REGISTER dated

'August 5, 1954' (19 F. R. 4906), it is hereby ordered:

Part 01 of Subchapter A of this chapter is hereby amended by adding a new Subpart H as follows:

SUBPART H—OUTER CONTINENTAL SHELF LANDS ACT

Sec.
01.71 Processing of claims.
01.72 Review of decisions.
01.73 Forms.

AUTHORITY: §§ 01.71 to 01.73 issued under sec. 39, 44 Stat. 1442, 67 Stat. 462; 33 U. S. C. 939, 43 U. S. C. 1331.

§ 01.71 *Processing of claims.* The processing of claims of employees for compensation benefits arising under the Longshoremen's and Harbor Workers' Compensation Act, as amended (44 Stat. 1442, 33 U. S. C. 901, et seq.) as extended by the Outer Continental Shelf Lands Act (67 Stat. 462, 43 U. S. C. Supp. 1, 1331 et seq.) is governed by § 01.11 of Subpart B of this subchapter.

§ 01.72 *Review of decisions.* Except as herein modified, review of compensation cases arising under the Longshoremen's and Harbor Workers' Compensation Act, as extended by the Outer Continental Shelf Lands Act, is governed by § 01.12 of Subpart B of this subchapter. Application for judicial review of a decision in a compensation case arising under the Longshoremen's and Harbor Workers' Compensation Act, as extended by the Outer Continental Shelf Lands Act, is required to be instituted in the judicial district in which any defendant resides or may be found or in the judicial district of the adjacent State nearest the place where the injury or injury causing death occurred.

§ 01.73 *Forms.* The same forms prescribed for use in connection with the administration of the Longshoremen's Act are used in the administration of the Outer Continental Shelf Lands Act, except that they are modified by a stamped or typed legend to indicate that they relate to the Outer Continental Shelf Lands Act.

A new Subchapter H is added to this chapter as follows:

Subchapter H—Extension of the Longshoremen's and Harbor Workers' Compensation Act to Person Employed in Certain Operations Conducted on the Outer Continental Shelf

PART 81—GENERAL ADMINISTRATIVE PROVISIONS

Sec.
81.1 General administrative provisions; definitions; interpretation of statute.
81.2 Establishment of compensation districts.

AUTHORITY: §§ 81.1 and 81.2 issued under sec. 39, 44 Stat. 1442, as amended, 67 Stat. 462-470; 33 U. S. C. 939, 43 U. S. C. 1331-1343. Statutory provisions interpreted or applied are cited to text.

§ 81.1 *General administrative provisions; definitions; interpretation of statute—(a) General.* Section 4 (c) of the Outer Continental Shelf Lands Act (67 Stat. 463; 43 U. S. C. 1333) extends the provisions of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, as amended; 33 U. S. C. 901,

et seq.) the latter hereinafter in this subchapter referred to as "the Longshoremen's Act", to cases of disability or death of employees resulting from certain operations conducted on the outer Continental Shelf. The regulations in Subchapter C of this chapter governing the administration of the Longshoremen's Act, insofar as they are applicable and are not inconsistent with any of the provisions of this subchapter, shall govern the administration of the Longshoremen's Act as extended by the Outer Continental Shelf Lands Act. Every person subject to, claiming benefits under, or acting under the Longshoremen's Act as thus extended shall conform to the procedure prescribed in the Longshoremen's Act, in the regulations in Subchapter C and in this subchapter. The term "Bureau" as used in this subchapter means the Bureau of Employees' Compensation, Department of Labor. The Bureau of Employees' Compensation was transferred from the Federal Security Agency to the Department of Labor by Reorganization Plan No. 19 of 1950 (15 F. R. 3178, 39 Stat. 742) effective May 24, 1950. The Bureau of Employees' Compensation, when formerly in the Federal Security Agency, had been established to perform the functions theretofore performed by the United States Employees' Compensation Commission, which was abolished and its functions transferred to the Federal Security Agency by Reorganization Plan No. 2 of 1946 (11 F. R. 7873, 60 Stat. 1096) effective July 16, 1946.

(b) *Coverage.* The Outer Continental Shelf Lands Act applies in respect to the disability or death of an employee resulting from any injury occurring as a result of operations conducted on the outer Continental Shelf for the purpose of exploring for, developing, removing or transporting by pipeline the natural resources of the subsoil and seabed of the outer Continental Shelf.

(c) *Definitions and interpretation of statute.* Except as expressly modified in this subchapter, terms used in the regulations promulgated in this subchapter shall be construed and applied as defined in section 2 of the Longshoremen's Act (44 Stat. 1424, 33 U. S. C. 902)

(1) The term "outer Continental Shelf" means all submerged lands lying seaward and outside of the area of "lands beneath navigable waters" (as hereinafter defined) and of which the sub-soil and seabed appertain to the United States and are subject to its jurisdiction and control, and includes artificial islands and fixed structures thereon. "Lands beneath navigable waters" means (i) all lands within the boundaries of each of the respective States which are covered by nontidal waters that were navigable under the laws of the United States at the time such State became a member of the Union, or acquired sovereignty over such lands and waters thereafter, up to the ordinary high water mark as heretofore or hereafter modified by accretion, erosion, and reliction; (ii) all lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line

three geographical miles distant from the coast line of each such State and to the boundary line of each such State where in any case such boundary as it existed at the time such State became a member of the Union, or as approved by Congress (prior to May 22, 1953) extends seaward (or into the Gulf of Mexico) beyond three geographical miles; and (iii) all filled in, made, or reclaimed lands which formerly were lands beneath navigable waters as heretofore defined. The term "boundaries" includes the seaward boundaries of a State or its boundaries in the Gulf of Mexico or any of the Great Lakes as they existed at the time such State became a member of the Union; or as to any State admitted subsequent to the formation of the Union which has not already done so its seaward boundary extended to a line three geographical miles distant from its coast line or to the international boundaries of the United States in the Great Lakes or any other body of water traversed by such boundaries. In no event shall the term "boundaries" or the term "lands beneath navigable waters" be interpreted as extending from the coast line more than three geographical miles into the Atlantic Ocean or the Pacific Ocean, or more than three marine leagues (a marine league equals 3 nautical miles) into the Gulf of Mexico. The term "coast line" means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters.

(2) The term "employee" does not include a master or member of a crew of any vessel, or an officer or employee of the United States or any agency thereof or of any state or foreign government, or of any political subdivision thereof.

(3) The term "employer" means an employer any of whose employees are employed in operations described in paragraph (b) of this section.

(4) The term "United States" when used in a geographical sense includes the outer Continental Shelf and artificial islands and fixed structures thereon.

(5) The term "State" means any State of the Union.

§ 81.2 *Establishment of compensation districts.* (a) Pursuant to the provisions of section 39 (b) of the Longshoremen's Act, the Bureau hereby establishes the following compensation districts and extends for the purposes of this subchapter the following existing compensation districts and their areas established under § 31.2 of Subchapter C of this chapter:

District No. 1. In addition to the States named, includes the parts of the outer Continental Shelf adjacent to any of those States, with headquarters at Boston, Massachusetts.

District No. 2. In addition to the area described, includes the parts of the outer Continental Shelf adjacent to the States of New York and New Jersey, with headquarters at New York, New York.

District No. 5. In addition to the area described, includes the parts of the outer Continental Shelf adjacent to the States of Delaware, Maryland, Virginia, and North

Carolina, with headquarters at Norfolk, Virginia.

District No. 6. In addition to the States named, includes the parts of the outer Continental Shelf adjacent to said States, with headquarters at Jacksonville, Florida.

District No. 7. In addition to the area described, includes the parts of the outer Continental Shelf adjacent to the States of Alabama, Mississippi and Louisiana, with headquarters at New Orleans, Louisiana.

District No. 8. In addition to the area described, includes the part of the outer Continental Shelf adjacent to the State of Texas, with headquarters at Galveston, Texas.

District No. 13. In addition to the area described, includes the part of the outer Continental Shelf adjacent to the State of California, with headquarters at San Francisco, California.

District No. 14. In addition to the area described, includes the part of the outer Continental Shelf north of the northernmost California boundary and adjacent to the United States, with headquarters at Seattle, Washington.

PART 82—AUTHORIZATION OF INSURANCE CARRIERS

Sec.

- 82.1 Insurance carriers covering outer Continental Shelf operations.
- 82.2 Applicants currently authorized to write insurance under other Federal workmen's compensation laws.
- 82.3 Outer Continental Shelf endorsement.
- 82.4 Report by carrier of issuance of policy or endorsement; form.
- 82.5 Report; by whom sent.
- 82.6 Agreement to be bound by card report.
- 82.7 Report by employer operating temporarily in another compensation district.
- 82.8 Name of one employer only shall be reported on one card.

Authority: §§ 82.1 to 82.8 issued under sec. 39, 44 Stat. 1442, as amended, 67 Stat. 462-470; 33 U. S. C. 939, 43 U. S. C. 1331-1343.

§ 82.1 *Insurance carriers covering outer Continental Shelf.* Except as modified by the provisions of this subchapter, the provisions of the regulations in Part 32, Subchapter C of this chapter, shall govern insurance carriers under the Longshoremen's and Harbor Workers' Compensation Act as extended by the Outer Continental Shelf Lands Act to injury or death cases arising out of certain operations on the outer Continental Shelf (67 Stat. 462, 43 U. S. C. 1331).

§ 82.2 *Applicants currently authorized to write insurance under other Federal Workmen's Compensation laws.* Any applicant currently authorized by the Bureau to write insurance under the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, 33 U. S. C. 901 et seq.) or under the District of Columbia Workmen's Compensation law (45 Stat. 600, 19 D. C. Code 11, 12) or under the Defense Bases Act (55 Stat. 622, 42 U. S. C. 1651) need not support its application with the evidence required by the regulations in Part 32, Subchapter C of this chapter, except the form of policy and endorsement which it proposes to use, unless specifically requested by the Bureau, but instead its application may refer to the fact that it has been so authorized.

§ 82.3 *Outer Continental Shelf endorsement.* (a) The following form of endorsement applicable to the standard workmen's compensation and employer's

liability policy shall be used with the form of policy approved by the Bureau for use by an authorized carrier:

For Attachment to Policy No. _____

The obligations of paragraph one (a) of the Policy include the Longshoremen's and Harbor Workers' Compensation Act, being Public Law No. 833 of the 63th Congress, approved March 4, 1927, as extended to death or disability of employees arising out of certain operations on the outer Continental Shelf by the Provisions of the Outer Continental Shelf Lands Act, being Public Law 212 of the 63d Congress, approved August 7, 1953, and all the laws amendatory thereof or supplementary thereto which may be or become effective while this policy is in force.

The Company will carry out the provisions of section 35 of the Longshoremen's and Harbor Workers' Compensation Act. Insolvency or bankruptcy of the employer and/or discharge therein shall not relieve the Company from payment of compensation and other benefits lawfully due for disability or death sustained by an employee during the life of the policy.

The Company agrees to abide by all the provisions of the Longshoremen's and Harbor Workers' Compensation Act and all the lawful rules, regulations, orders and decisions of the Bureau of Employees' Compensation, Department of Labor, and of the deputy commissioner having jurisdiction, unless and until set aside, modified or reversed by a court having jurisdiction over the parties and the cause of action.

This endorsement shall not be cancelled prior to the date specified in this policy for its expiration until at least thirty days have elapsed after a notice of cancellation has been sent to the Bureau, to the Deputy Commissioner, and to the within named employer.

All terms, conditions, requirements, and obligations expressed in this policy or in any other endorsement attached thereto which are not inconsistent with or inapplicable to the provisions of this endorsement are hereby made a part of this endorsement as fully and completely as if wholly written herein.

References to the law of any State in Conditions B and D of this policy are hereby declared to include for the purpose of this endorsement only, the provisions of the Longshoremen's and Harbor Workers' Compensation Act, as amended, and of the Outer Continental Shelf Lands Act.

(b) The following paragraphs may at the option of the insurer be included in the form of endorsement which is provided in paragraph (a) of this section. No other provision, alteration of any prescribed provision, or alteration of any optional provision shall be made or used in any such endorsement except after submission to the Bureau and receipt of its written approval thereof:

If the within employer is a contractor the subject of whose contract includes operations covered by this policy and he shall sub-contract all or any part of such contract to one or more subcontractors, the remuneration of all the direct employees of such subcontractors shall be included in the return of remuneration under the provisions of this policy upon which premium is computed. Such remuneration so reported shall be considered the remuneration of employees of the within named employer and shall in all instances be governed by the same terms, conditions, requirements, and obligations of the policy as the remuneration of the direct employees of the within named employer. The requirements of this paragraph shall not apply as respects any such subcontractor who has secured compensation for his direct employees as required by the Longshoremen's and Harbor Workers' Compensation Act, but the within named employer shall not claim

the benefit of this exemption unless and until he shall satisfy the Company by certificate or otherwise that any such subcontractor has legally secured the payment of compensation to his own direct employees and then only respecting any subcontractor who has furnished such proof.

If the premium as determined in accordance with the provisions of the policy is less than \$300, there shall be added thereto an expense constant of \$10, unless such addition shall increase the premium to an amount in excess of \$300, in which event only such part of the expense constant shall be added as will bring the amount of the premium up to \$300. Inclusion of the expense constant or any part thereof in the estimated advance premium is subject to final adjustment upon audit, all in accordance with the provisions hereof. The minimum premium of the policy includes the expense constant.

(c) In applying the regulations in Part 32, Subchapter C of this chapter insofar as they are incorporated in this subchapter all references to the Longshoremen's endorsement shall be construed as having reference to the Outer Continental Shelf endorsement prescribed in this section.

§ 82.4 *Report by carrier of issuance of policy or endorsement; form.* (a) A carrier which has executed the agreement provided for in § 82.6 shall report to the deputy commissioner assigned to a compensation district each policy and endorsement issued by it to an employer who carries on operations in such compensation district. The report shall be made upon a printed card to be provided by such carrier. Such card shall be 50 percent rag, light green, light weight, 3 by 5 inches. The printing thereon shall be as follows:

Employer _____
 Address _____
 Policy No. _____
 Dates of beginning and expiration _____
 Report is made of the issue of approved form of policy and endorsement under the Longshoremen's and Harbor Workers' Compensation Act, as amended and as extended to the Outer Continental Shelf by the Outer Continental Shelf Lands Act.

 (Name of insurance carrier)
 By _____
 Cancellation _____
 (Effective date)

 (Date notice received by deputy)

This card shall be sent to the Deputy Commissioner of the Bureau of Employees' Compensation, U. S. Department of Labor, for the compensation district indicated by the employer's address.

(b) Each such carrier will print its name at the place indicated. The note at the bottom designating the place to which the card shall be sent should be in small type, about 6 point, and if desired this note may be printed on the reverse side of the card. The spaces below the line for the employer's name and the line for his address should each be sufficient to permit two additional lines of typewriting. The word "Employer" should be about $\frac{3}{4}$ inch from the top of the card. The line for cancellation date will be filled in only by the office of the deputy commissioner.

§ 82.5 *Report; by whom sent.* The report of issuance of a policy and en-

dorsement provided for in § 82.4 shall be sent by the home office of the carrier to the deputy commissioner at his headquarters, except that any carrier may authorize its agency or agencies in any compensation district to make such reports to the deputy commissioner, provided the carrier shall notify the deputy commissioner in such district of the agent or agencies so duly authorized. The deputy commissioner in turn shall supply to his suboffices, if any, current lists showing the policies so reported, giving the names and addresses of the employers, with the names of their respective carriers, the policy numbers and the dates of beginning and expiration of the policies. Similar current lists of cancellation shall also be furnished to sub-offices.

§ 82.6 *Agreements to be bound by card reports.* (a) Except as provided in this section, each employer shall present to the deputy commissioner in the compensation district in which he has operations, the policy covering his operations in such district, which he has procured in compliance with section 32 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1439; 33 U. S. C. 932) as extended by the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U. S. C. Supp. 1, 1331). Any carrier desiring to do so may make such presentation of such policy unnecessary in any particular case by transmitting to the Bureau an agreement signed by its president and secretary (or other authorized officers in cases of foreign or mutual companies or State funds) in the following form, and making reports accordingly, of the issuance of a policy in such particular case.

The (insert name of insurance carrier) hereby agrees, in consideration of the acceptance by the Bureau of Employees' Compensation, Department of Labor and its deputy commissioners of reports of issue of approved form of policy and endorsement under the Longshoremen's and Harbor Workers' Compensation Act as amended and as extended to the outer Continental Shelf by the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U. S. C. Supp. 1, 1331) in the form prescribed by the Bureau in section 82.4 of its regulations, that it will be liable and hereby accepts the full liability expressed in the approved form of endorsement, under said laws in all cases in which it has heretofore and may hereafter use the prescribed form of report to deputy commissioners and transmit the same to the proper deputy commissioner; the sending of such report of issue of policy to the deputy commissioner shall be accepted by the Bureau and its deputy commissioners as conclusive evidence (1) of the issuance of a policy to the employer, named in such report, in approved form and having attached an approved form of endorsement under applicable regulations of the Bureau and (2) of the effectiveness of such policy during the period as stated in such report; and it further agrees that such liability shall not be terminated prior to the expiration of the policy, except in case of cancellation, and then at the time and in the manner which is prescribed in the Longshoremen's and Harbor Workers' Compensation Act, in the regulations of said Bureau, and in the endorsement referred to.

(b) An insurance carrier desiring to withdraw from such agreement may do so upon giving thirty days notice to the Bureau by registered mail.

§ 82.7 *Report by employer operating temporarily in another compensation district.* Where an employer having operations in one compensation district (or jurisdictional area of such district) contemplates engaging in work subject to the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U. S. C. Supp. 1, 1331) in another compensation district, a carrier which has executed the agreement provided for by § 82.6 and desires to report coverage as to work performed in such other district, may submit to the deputy commissioner of such latter district a report on the card form prescribed by § 82.4, containing the address of the employer in the first mentioned district with the additional notation, "No present address in _____ compensation district. Certificate requested when address given."

§ 82.8 *Name of one employer only shall be reported on one card.* A separate report of the issuance of a policy and endorsement, provided for by § 82.4, shall be made for each employer covered by a policy. If a policy is issued insuring more than one employer, a separate card report for each employer so covered shall be sent to the deputy commissioner concerned, with the name of only one employer on each such report. Unless a card report is received by the deputy commissioner for a compensation district, the deputy commissioner shall regard an employer as an uninsured employer in the particular compensation district (except in cases where such employer is a duly authorized self-insurer, or the employer himself has presented a policy for inspection by the deputy commissioner).

PART 83—AUTHORIZATION OF SELF-INSURERS

Sec.

83.1 Authorization of self-insurers.

83.2 Reports required of self-insurers; examination of accounts of self-insurer.

AUTHORITY: §§ 83.1 and 83.2 issued under sec. 39, 44 Stat. 1442, as amended, 67 Stat. 462-470; 33 U. S. C. 939, 43 U. S. C. 1331-1343. Statutory provisions interpreted or applied are cited to text.

§ 83.1 *Authorization of self-insurers.* The provisions of the regulations in Part 33, Subchapter C of this chapter, shall govern the authorization of the self-insurance privilege under the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1424, 33 U. S. C. 901), as extended by the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U. S. C. Supp. 1, 1331). An application shall contain (a) a statement of the amount of the employer's payroll of employees engaged in operations within the purview of section 4 (b) of the Outer Continental Shelf Lands Act (67 Stat. 463; 43 U. S. C. Supp. 1, 1333) for the preceding twelve months; (b) a statement by classifications of the average number of employees engaged in employments within the purview of said section 4 (b) of the Outer Continental Shelf Lands Act for the preceding twelve months; (c) a statement of the number

of injuries to such employees resulting in disability of more than seven days, duration, or in death, during each of three years next preceding the date of the application; (d) an itemized statement of the assets and liabilities of the employer, and current profit and loss statement; (e) a description of the safety organization maintained by the employer for the prevention of injuries at his places of work; (f) a description of the facilities maintained or the arrangements made for the medical and hospital care of injured employees; (g) a statement describing any excess loss insurance or stop-loss insurance arrangement made by the employer, giving the name of the carrier, with full details of any such excess loss coverage; and (h) a statement describing the plan adopted by the employer to set aside a reserve fund for the payment of workmen's compensation benefits (and loss adjustment expenses) under the Longshoremen's and Harbor Workers' Compensation Act as extended by the Outer Continental Shelf Lands Act. Such application shall be signed by the applicant over his typewritten name and if the applicant is not an individual, by the principal officer of the applicant duly authorized to make such application, over his typewritten name and official designation, and shall be sworn to by him. If the applicant is a corporation, the corporate seal shall be affixed. The application shall be filed with the Bureau. The Bureau in its discretion may require the applicant to submit such further information or such evidence as the Bureau may deem necessary to have in order to enable it to give adequate consideration to such application. The regulations in this part shall be binding upon each applicant hereunder and the applicant's consent to be bound by all requirements of the said regulations shall be deemed to be included in and a part of the application, as fully as though specifically stated in writing thereon.

§ 83.2 *Reports required of self-insurers; examination of accounts of self-insurer.* (a) At such times as the Bureau may require or prescribe, each self-insurer shall submit such of the following reports as may be requested:

(1) A sworn itemized statement of the self-insurer's assets and liabilities (or a balance sheet) and current profit and loss statement.

(2) A sworn statement showing by classifications the payroll of employees of the self-insurer who are engaged in employments within the purview of operations described in section 4 (b) of the Outer Continental Shelf Lands Act (67 Stat. 463; 43 U. S. C. Supp. 1, 1333)

(3) A sworn statement of payments of compensation in current cases during any specified quarter, showing the nature of injury in each case.

(4) A sworn statement covering the six months' period preceding the date of such report, listing by compensation districts all death and injury cases which have occurred during such period, together with a report of the status of all outstanding claims, showing the particulars of each case.

(b). Whenever it deems it to be necessary, the Bureau may inspect or examine the books of account, records, and other papers of a self-insurer for the purpose of verifying any financial statement submitted to the Bureau by such self-insurer or verifying any information furnished to the Bureau in any report required by this section, or any other section of the regulations in this subchapter, and such self-insurer shall permit the Bureau by its duly authorized representative to make such an inspection or examination as the Bureau shall require. In lieu of this requirement the Bureau may in its discretion accept an adequate report of a certified public accountant.

PART 84—ISSUANCE OF CERTIFICATES OF COMPLIANCE

Sec.

84.1 Issue of certificates of compliance.

84.2 Same; employer operating temporarily in another compensation district.

84.3 Return of certificates of compliance.

AUTHORITY: §§ 84.1 to 84.3 issued under sec. 39, 44 Stat. 1442, as amended, 67 Stat. 462-470; 33 U. S. C. 939, 43 U. S. C. 1331-1343.

§ 84.1 *Issue of certificates of compliance.* (a) Every employer who has secured the payment of compensation by obtaining a policy of insurance as provided by section 32 of the Longshoremen's and Harbor Workers' Compensation Act (44 Stat. 1439; 33 U. S. C. 939) and by Part 82 of the regulations in this subchapter will receive from the deputy commissioner in the compensation district in which he has operations (or for the jurisdictional area of such compensation district) and to whom such insurance has been reported, a certificate that such employer has secured the payment of such compensation. Only one such certificate will be issued to an employer in a compensation district, and it will be valid only during the period for which such employer has secured such payment. An employer so desiring may have photostatic copies (or other facsimile copies) of such a certificate made for use in different places within the compensation district of jurisdictional area thereof. A certificate of compliance will be issued by the deputy commissioner to any employer having operations in his district (1) upon receipt by the deputy commissioner and acceptance by him of a card report of the issuance of a policy to the employer concerned, as provided by § 82.4 of this subchapter, by an authorized insurance carrier which has filed an agreement to be bound by such card report in conformity with § 82.6 of this subchapter or (2) upon presentation to the deputy commissioner by the employer concerned (and not by an insurance carrier, insurance agent, or broker) of the applicable policy of insurance, and endorsement thereon, issued to the employer in conformity with Part 82 of this subchapter by an authorized insurance carrier which has not filed the agreement provided for by § 82.6 of this subchapter.

(b) Every employer who has been granted the privilege of self-insurance as provided by section 32 of the Long-

shoremen's and Harbor Workers' Compensation Act and by Part 83 of this subchapter will receive from the deputy commissioner a certificate that he has complied with the said law with respect to the securing of the payment of compensation. Only one such certificate will be issued to an employer by a deputy commissioner in a compensation district and it will be valid only during the period stated in such certificate. An employer so desiring may have made photostatic copies (or other facsimile copies) of such certificate for use in different places within the compensation district or jurisdictional area thereof.

(c) Two forms of such certificates of compliance have been provided by the Bureau, one form for use where the employer has obtained insurance generally under the regulations in this subchapter and one for use where the employer has been authorized as a self-insurer.

§ 84.2 *Same; employer operating temporarily in another compensation district.* A deputy commissioner receiving a card report of the issue of a policy of insurance, with the notation authorized by § 82.7 of this subchapter will file such card report until he receives from the insured employer named thereon a request for a certificate of compliance, giving the address of the employer within the compensation district of such deputy commissioner. Upon receipt of such a request the deputy commissioner will send the proper certificate of compliance to such employer at such address.

§ 84.3 *Return of certificates of compliance.* Upon the termination by expiration, cancellation or otherwise, of a policy of insurance issued under the provisions of the Longshoremen's and Harbor Workers' Compensation Act, as amended, as extended by the Outer Continental Shelf Lands Act, and the regulations under this subchapter, or the revocation or termination of the privilege of self-insurance granted by the Bureau, all certificates of compliance issued on the basis of such insurance or self-insurance shall be void and shall be returned by the employer to the deputy commissioner issuing them with a statement of the reason for such return. An employer, currently holding a certificate of compliance under an insurance policy which has expired, pending the renewal of such insurance, need not return such certificate of compliance if such expired insurance is promptly replaced. An employer who has secured renewal under the Longshoremen's and Harbor Workers' Compensation Act as extended by the Outer Continental Shelf Lands Act or whose self-insurance thereunder is reauthorized without a break in the continuity thereof need not return to the Bureau an expired certificate of compliance.

Signed at Washington, D. C., this 15th day of September 1954.

WILLIAM McCauley,
Director,

Bureau of Employees' Compensation.

[F. R. Doc. 54-7559; Filed, Sept. 27, 1954; 8:40 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 53—TOMATO PRODUCTS; DEFINITIONS AND STANDARDS OF IDENTITY; QUALITY; AND FILL OF CONTAINER

DEFINITION AND STANDARD OF IDENTITY FOR CATSUP, KETCHUP, CATCHUP

In the matter of amending the definition and standard of identity for catsup, ketchup, catchup:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 401, 52 Stat. 1046, as amended by 68 Stat. 54, 21 U. S. C. 341) notice is hereby given that no objections were filed to the order published in the FEDERAL REGISTER on August 10, 1954 (19 F. R. 5014) amending the definition and standard of identity for catsup (21 CFR 53.10). The amendments promulgated by that order will become effective October 9, 1954.

(Sec. 701; 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 401, 52 Stat. 1046; 21 U. S. C. 341)

Dated: September 22, 1954.

[SEAL] ROSWELL B. PERKINS,
Acting Secretary.

[F. R. Doc. 54-7560; Filed, Sept. 27, 1954; 8:46 a. m.]

TITLE 26—INTERNAL REVENUE, 1954

ESTABLISHMENT OF NEW TITLE

EDITORIAL NOTE: The enactment of the Internal Revenue Code of 1954 makes it desirable to establish a new title in the Code of Federal Regulations to be designated "Title 26—Internal Revenue, 1954." The new title will contain those administrative rules and regulations, general and permanent in nature, which are effective as to all matters to which the Internal Revenue Code of 1954 is applicable. The new title does not supersede the present "Title 26—Internal Revenue" as to those facts or circumstances to which the provisions of the Internal Revenue Code of 1939 are applicable.

The new Title 26 should be cited as "26 CFR." Thus, the approved abbreviated citation of § 1.213 in Title 26 (relating to medical, dental, etc., expenses) would be "26 CFR 1.213." If reference is made to regulations under the Internal Revenue Code of 1939, that date should be shown in the reference. Thus, in referring to Part 29 of the former Title 26 (Treasury Regulations 111, relating to income taxes for taxable years beginning after 1941 and before 1952) the reference should be to "26 CFR (1939) Part 29."

The present plans of the Internal Revenue Service generally call for issuance of new regulations (such as regulations relating to income taxes, estate tax, gift taxes, wine, etc.) each of which will be designated as a particular part of the new title. It may be necessary in some cases, however, to issue portions of the regulations as Treasury decisions as

soon as these portions are developed prior to issuing the complete regulations on that subject in one document. For example, according to present plans for issuing new regulations relating to income tax, approximately 60 separate Treasury decisions will be involved. These separate Treasury decisions will be brought together at a later date and named the Income Tax Regulations (1954 ed.) and will appear as Part 1 of the new Title 26 of the Code of Federal Regulations. The name and appropriate CFR citation will be used as the official designation. The Internal Revenue Service does not expect to assign a separate Internal Revenue Service number (such as Regulations 111 or Regulations 118) to regulations which will be issued under the Internal Revenue Code of 1954.

The pattern and range of part numbers for the new Title 26 are shown by the following table:

TABLE OF CONTENTS—NEW CFR TITLE 26, 1954

Title 26—Internal Revenue, 1954

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter A—Income Tax (Parts 1-19)

Subchapter B—Estate and Gift Taxes (Parts 20-29)

Subchapter C—Employment Taxes (Parts 30-39)

Subchapter D—Miscellaneous Excise Taxes (Parts 40-169)

Subchapter E—Alcohol, Tobacco and Other Excise Taxes (Parts 170-299)

Subchapter F—Procedure and Administration (Parts 300-499)

Subchapter G—Regulations under Tax Conventions (Parts 500-599)

Chapter II—Tax Court of the United States (Parts 701-799)

NOTE: For notice of proposed rule making concerning "Income tax: Taxable years beginning after December 31, 1953; depreciation" see F. R. Doc. 54-7600, *infra*. When adopted this rule will be carried in the Code of Federal Regulations under "Title 26—Internal Revenue, 1954" within Part 1.

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiation Board Regulations Under the 1951 Act

PART 1459—COSTS ALLOCABLE TO AND ALLOWABLE AGAINST RENEGOTIABLE BUSINESS

INVOLUNTARY LIQUIDATION OF INVENTORY

This part is amended by deleting subparagraph (8) *Replacement of inventory involuntarily liquidated* of § 1459.1 (b) in its entirety and inserting in lieu thereof the following:

§ 1459.1 *Statutory provisions and general regulations—* * * *

(b) *Profit, cost allocation and allowance; general—* * * *

(8) *Replacement of inventory involuntarily liquidated.* Under section 22 (d)

(6) of the Internal Revenue Code, a taxpayer using the last in, first out inventory method may, for any year in which it involuntarily liquidated any part of its base stock inventory, elect to adjust retroactively its net income for tax purposes for such year by reference to the costs of replacing in a subsequent year the inventory so involuntarily liquidated. The excess of such replacement costs over base stock costs is neither an exclusion nor a deduction under the Internal Revenue Code, but merely a retroactive adjustment of net income. For purposes of renegotiation, there will be allowed as a cost and allocated between renegotiable and non-renegotiable business according to the principles set forth in this paragraph the base stock costs and the excess of replacement costs, or of the estimated replacement value in the fiscal year in which the involuntary liquidation occurred, over the base stock costs. Similarly, the cost of renegotiable business will be reduced, to the extent allocable thereto, by any excess of base stock costs over replacement costs, or over the estimated replacement value in the fiscal year in which the involuntary liquidation occurred. Such cost allowance or reduction will be made whether or not the use of the base stock inventory constitutes involuntary liquidation under the provisions of the Internal Revenue Code and even though such inventory is not actually replaced until a subsequent year.

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. Sup. 1219)

Dated: September 23, 1954.

GEORGE C. MCCONNAUGHEY,
Chairman.

[F. R. Doc. 54-7574; Filed, Sept. 27, 1954; 8:49 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 21—HOT SPRINGS NATIONAL PARK; BATHHOUSE REGULATIONS

Part 21 is revised to read as follows:

- Sec.
- 21.1 Definitions.
 - 21.2 Use and waste of water.
 - 21.3 Transfers of stock or interest in bathhouses.
 - 21.4 Federal Registration Board, officers.
 - 21.5 Quorum.
 - 21.6 Meetings.
 - 21.7 Minutes.
 - 21.8 Examinations.
 - 21.9 Fees.
 - 21.10 Registration of physicians.
 - 21.11 Removal from register.
 - 21.12 Removal from register, appeal.
 - 21.13 Applicants.
 - 21.14 Conduct of registered physicians.
 - 21.15 Examining Board for Technicians.
 - 21.16 Suspension of certificate.
 - 21.17 Hours of operation.
 - 21.18 Requirements for bathing.
 - 21.19 Changes in bathing directions; standard bath directions.
 - 21.20 Supervision of treatments.
 - 21.21 Use of pools.
 - 21.22 Persons excluded from the pools.
 - 21.23 Transfer and redemption of tickets.
 - 21.24 Lost tickets.

- Sec.
 21.25 Physical examination.
 21.26 Solicitation by employees.
 21.27 Prescriptions and use of medical instruments.
 21.28 Fees.
 21.29 Badges for bath attendants.
 21.30 Accidents.
 21.31 Losses.

AUTHORITY: §§21.1 to 21.31 issued under sec. 3, 39 Stat. 535; 16 U.S.C. 3. Interpret or apply 20 Stat. 258; sec. 3, 26 Stat. 843; sec. 1, 41 Stat. 918; 16 U.S.C. 361, 363, 369.

§ 21.1 *Definitions.* When used in the regulations in this part:

(a) The term "Secretary" means the Secretary of the Interior or his duly authorized representative.

(b) The term "Director" means the Director of the National Park Service and the Regional Director, Region Three.

(c) The term "Superintendent" means the Superintendent of Hot Springs National Park, Arkansas.

(d) The term "concessioner" means any individual, trustee, partnership, corporation, or other business entity operating a bathhouse receiving water from Hot Springs National Park under lease or contract authorization by the Secretary.

(e) The term "physician" means a physician or surgeon, or any person publicly professing to cure or heal.

(f) The term "registered physician" means a physician registered at the office of the Superintendent as authorized to prescribe the waters of Hot Springs National Park.

(g) The term "technician" means any person certified and licensed by the Superintendent to perform special duties pertaining to services rendered in the bathhouses.

(h) The term "employee" means any employee of a bathhouse concessioner whose duties include any part of the operation of a bathhouse or rendering bathing or special services to the public, and includes technicians.

§ 21.2 *Use and waste of water.* The use of the hot mineral waters of Hot Springs National Park for other than bathing or other therapeutic purposes, or the wasting thereof, is prohibited.

§ 21.3 *Transfers of stock or interest in bathhouses.* All proposed transfers of stock in bathhouses receiving hot water from Hot Springs National Park must receive approval, in writing of the Director, before the transfer is consummated. Transfers of stock or interest in bathhouses will not be valid unless approved in this manner.

§ 21.4 *Federal Registration Board, officers.* (a) An advisory and examining board, designated as "The Hot Springs National Park Federal Registration Board," shall be appointed by the Secretary. The board shall consist of six members, four of whom shall be members of the Garland County Hot Springs Medical Society, one the Commanding Officer of the Army and Navy General Hospital, and one the Superintendent of Hot Springs National Park. The Superintendent shall act as secretary of the board. The functions of the board shall be to advise the Superintendent concerning the use of the waters of Hot

Springs National Park; and to examine and approve, in proper cases, applicants for registration.

(b) There shall be a president elected by the board, who shall serve one year and until his successor is elected and qualified. Such election shall be at the annual meeting, which shall be the first meeting of the board after the personnel thereof for the ensuing year has been determined by the Secretary of the Interior. Should a vacancy occur in the office of the president by death, resignation, or otherwise, such vacancy shall be filled by the board at its first regular meeting next succeeding the date the vacancy occurs, or at a special meeting of the board called for that purpose.

§ 21.5 *Quorum.* Three members of the board shall constitute a quorum, with full authority to transact any and all business that may come before the board.

§ 21.6 *Meetings.* (a) Regular bi-monthly meetings shall be established by the board and special meetings may be held as the president of the board deems necessary, prior notice thereof having been duly announced: *Provided, however* That the president may waive regular meetings when no appropriate business exists for consideration by the board.

(b) All routine business shall be filed with the secretary of the board at least 24 hours before the designated meeting time. Matters for consideration not filed as indicated above for the meeting will be held for consideration at the next regular or special meeting.

(c) The order for the transaction of business before the board shall be as follows:

(1) Reading and approval of the minutes of the preceding meeting.

(2) Consideration of unfinished business.

(3) Consideration of new business.

(4) Consideration of applicants for registration.

(5) Miscellaneous business.

§ 21.7 *Minutes.* Minutes of all business transacted by the board shall be reduced to writing and be copied in a record provided for the purpose, and at the next regular or special meeting, the minutes of the previous meeting shall be read and approved, with such corrections, if any, as the board may consider proper to make.

§ 21.8 *Examinations.* Examinations of applicants for registration shall be held quarterly on a date to be fixed by the board. Any registered physician hereafter dropped from the list of registered physicians will not be restored until after he successfully passes the regular examination prescribed by the board for original registration, nor shall any such physician be eligible for examination for a period of five years from the date on which his name was dropped from the registered list: *Provided*, That the Secretary of the Interior may, in his discretion, authorize the examination of such physician at any time after one year from said date.

§ 21.9 *Fees.* Applicants for examination, preliminary to registration, will be required to pay the sum of \$10 to the

Superintendent as an examination fee prior to admittance to examination. Persons having complied with the requirements for registration will be required to pay the sum of \$15 to the Superintendent as a registration fee prior to their names being placed on the list of registered physicians. The fees prescribed by this section are payable in advance in the form of postal money order or certified or cashier's check in net amount of the fee, drawn to the order of the Treasurer of the United States, or in legal tender, and are not subject to refund, either in whole or in part.

§ 21.10 *Registration of physicians.* Physicians desiring to prescribe the waters of the hot springs, either internally or through the medium of baths, must first be registered at the office of the Superintendent, and shall use only such uniform form of bathing directions as meets with the approval of the Superintendent. Registration will be accorded only to such physicians as are found to have proper professional qualifications and character. No physician who shall be convicted of any offense involving moral turpitude against the laws of the United States or any State, or who shall violate any regulation of the Arkansas State Board of Health, or who shall engage in unprofessional, disreputable, or dishonest conduct, or who is addicted to the drug or other habit which disqualifies him for the performance of his professional duties, shall be or remain registered.

§ 21.11 *Removal from register.* If a charge is made to the Superintendent in writing, under oath, supported by the affidavits of two or more reputable witnesses, that a registered physician has violated any of the laws or regulations pertaining to the government of the bathhouses receiving hot water from said Park, such registered physician shall be immediately notified by the Superintendent of the fact that affidavits have been made against him and, in the presence of the Superintendent, be accorded an opportunity to cross-examine the witnesses on the subject thereof; and if in the judgment of the Superintendent the facts warrant such action, he will cite such registered physician to appear before him on a day to be named within not exceeding 5 days from the date of notice to show cause why his name should not be stricken from the register of physicians authorized to prescribe the waters of said springs; and pending the investigation and final action upon the charges, the right of such registered physician to prescribe the hot waters may be suspended by the Secretary of the Interior. The registered physician, against whom such complaint is made, shall have the right to cross-examine said affiants and any witnesses who may appear before the Superintendent, or to file written interrogatories pertinent to the issue, addressed to such complainants or witnesses, to be answered by them under oath, and may submit within 5 days thereafter counter-affidavits in answer to the charges made in the affidavits of the witnesses. The complainants or witnesses may file rebuttal affidavits within 5 days after service

upon them of said counter-affidavits. The hearing of said charges shall be had on the record as so made, and the recommendation of the Superintendent in the premises forwarded to the Secretary of the Interior through the Federal Registration Board, which board, after reviewing the record and the recommendation of the Superintendent, shall thereafter promptly submit its findings as a board of review, together with such supplemental recommendations as to it may appear proper, to the Secretary of the Interior.

§ 21.12 *Removal from register appeal.* An appeal from the recommendation of the Superintendent upon said record may be taken to the Secretary of the Interior within 5 days from the date of service by the Superintendent of a copy of his recommendation on the accused. If upon consideration of the complaint the charge is not sustained by the Secretary, the accused will be advised at once and the charges dismissed. If, however, such charge is sustained, the name of the registered physician shall be stricken from the registered list.

§ 21.13 *Applicants.* The following rules shall govern applicants for registration:

(a) To be entitled to registration, applicants must be citizens of the United States of America and be graduates of a reputable medical school or of a reputable school of osteopathy, and must have complied with the laws of the State of Arkansas relating to the admission of physicians to the practice of medicine and surgery, or either, within said State.

(b) Applicants will be required to furnish, in writing, such evidence as the board may desire, touching their personal history and moral character and standing during the 5 years next preceding the date of their applications, such evidence to be placed in the hands of the secretary of the board not later than 10 days prior to the regular date for examination of applicants. Applicants will also be required to submit to such examination as the board may consider proper, concerning their knowledge of medicine and surgery and their qualifications to prescribe the hot waters.

(c) Physicians who have successfully passed the examination of the National Board of Medical Examiners shall not be required to submit to an examination by the Federal Registration Board: *Provided*, That the board shall be assured through examination of the candidate or through evidence acceptable to the board that the candidate has a suitable knowledge and ability in the use of hydrotherapy. *And further provided*, That his moral and ethical qualifications are satisfactory upon investigation by the board.

(d) An applicant who twice fails in his examination before the Federal Registration Board shall not be permitted to again take the examination prescribed by the board until after the lapse of one year from the date of his last failure.

§ 21.14 *Conduct of registered physicians.* (a) No registered physician shall be permitted to associate himself in practice looking to the prescribing of the

waters of the Hot Springs with a non-registered physician, under penalty of having his name removed from the registered list. Before any assistant is employed by a registered physician, his name must be submitted to the Superintendent, together with such other information as may be called for by the Superintendent. Registered physicians must also notify the Superintendent of any contemplated absence from Hot Springs and give the name of the person in charge of his office during such absence. Registered physicians will be held strictly accountable for the actions of their assistants, and any violation of the regulations in this part by the registered physician or his assistant or assistants will be deemed sufficient cause for the removal of the name of such registered physician from the registered list. The name of any registered physician who shall give bath directions for the patient of a nonregistered physician shall be removed from the registered list, but this shall not apply to the prescribing of the waters of the Hot Springs for the patient of another practitioner who, while legally licensed by the State of Arkansas to treat ailments of the human system, is not eligible for registration under § 21.12 (a) *Provided*, That in all such cases the registered physician so prescribing shall deal directly with the patient and shall receive no fee, commission, or other compensation, either directly or indirectly, from such other practitioner under penalty of having his name removed from the registered list: *And provided further* That the name of such other practitioner treating such patient shall be given on the bath directions.

(b) No registered physician, upon removal of his offices from one location to another, may publish in any newspaper, or other periodical, notice to that effect for a longer period than 3 days. Notices of return from an absence may not be published for a longer period than 3 days or for any absence of less than 10 consecutive days. Such notices shall be simple in form and free of advertising elements, such as office hours, telephone numbers, specialties, and prices for consultation.

(c) Registered physicians, occupying offices formerly occupied by physicians who have died, retired, or have been placed on the nonactive list of registered physicians, are required to have the names of such nonactive physicians removed without delay from signs, windows, and directories in the building in which such physicians formerly practiced, and upon noncompliance with this provision within 10 days may be suspended by the Secretary of the Interior until the delinquencies have been remedied.

(d) The provisions of this section shall not apply to physicians stationed at the Army and Navy General Hospital not doing outside practice.

(e) Any registered physician desiring to change his residence from Hot Springs or to retire from active practice longer than one year, and during such absence retain his registration, shall file application, in writing, with the Superintendent to be placed upon the nonresident list.

If such registered physician whose name has been placed upon the nonresident list should desire to return to active practice at Hot Springs and have his name again placed upon the list of registered physicians, he may so apply in writing, stating his residence and occupation during the time he has been on the nonresident list, and shall give three references who can vouch for his conduct. The Federal Registration Board shall require an endorsement by the Garland County Hot Springs Medical Society of any registered physician whose name has been placed upon the nonresident list requesting his name to be restored to the active list of registered physicians and upon restoration such registered physician shall be governed by all the rules applying to registered physicians.

(f) The board, by action at a regular meeting, shall have the power to remove the names of registered physicians from the registered list who have ceased to practice medicine in Hot Springs National Park, Arkansas, and have departed without informing the board or the Superintendent of their intentions to be placed upon the inactive list or to have their names removed from the registered list.

(g) The provisions of this section are subject to amendment at any regular meeting of the board on the giving of 30 days' notice in writing of the proposed amendment, subject, however, to the approval of the Secretary of the Interior.

§ 21.15 *Examining Board for Technicians.* (a) An Examining Board for Technicians shall be appointed by the Superintendent, subject to the approval of the Director, to consist of the following members:

(1) One registered physician, to be nominated by the Federal Registration Board.

(2) One registered physiotherapist-hydrotherapist.

(3) One registered masseur.

(4) One registered bath attendant, preferably a head attendant.

(5) One member of the Superintendent's staff, who shall also be the executive secretary of the board.

(b) The board at its first meeting shall elect a president from among its members, excluding the representative of the Superintendent's staff who shall always be ineligible for any other position than executive secretary.

(c) Three members present shall constitute a quorum. Any member undergoing disciplinary action or in suspension from duty shall not remain a member of the board.

(d) The board shall meet on the third Friday in January of each year and from time to time throughout the year, subject to the call of the president, to transact such business as shall be properly presented by the executive secretary.

(e) The board will recommend to the Superintendent any necessary replacements of personnel of the board to fill vacancies.

(f) The board shall prescribe the requirements and will conduct the written examinations for all applicants seeking to be registered physiotherapists, hydro-

therapists, masseurs, and bath attendants in the bathhouses.

(g) The board shall have the power to determine the qualifications of individuals seeking to be registered as qualified beauticians and chiropodists in the bathhouses.

(h) The board shall recommend to the Superintendent the granting of certificates to applicants who shall successfully pass the written or practical examinations required of all candidates coming before it.

§ 21.16 *Suspension of certificate.* The certificate of qualification of a technician discharged for cause shall be suspended by the Superintendent, and the said person shall not be employed in any capacity in any bathhouse without recertification, which may be made only after a period of six months.

§ 21.17 *Hours of operation.* The hours for operation of all departments of bathhouses receiving hot water from Hot Springs National Park shall be those expressly designated by the Superintendent.

§ 21.18 *Requirements for bathing.*

(a) No bathhouse concessioner shall bathe (1) any applicant for baths who is under medical treatment unless said applicant presents satisfactory evidence that he or she is the patient of a registered physician, or (2) any applicant for baths not under the care of a physician unless said applicant shall make a certificate to be filed with the bathhouse concessioner that he or she is not under the care of any physician. The violation of this paragraph by the concessioner, manager, or any employee of a bathhouse, will result in the cutting off of the water from the bathhouse or the cancelling of the contract, as the Secretary of the Interior may determine.

(b) Should any person not under the care of a physician at the commencement of baths, as permitted under paragraph (a) (2) of this section, subsequently employ, consult, or take treatment from any physician, then in such case, he or she shall immediately file with the bathhouse concessioner evidence thereof as required under paragraph (a) of this section.

§ 21.19 *Changes in bathing directions; standard bath directions.* Baths shall be administered to patrons who do not have registered physicians' bathing directions in accordance with the standard bath directions prescribed by the Superintendent. Baths shall be administered to persons having registered physicians' bathing directions only in accordance with the instructions given therein.

§ 21.20 *Supervision of treatments.* Treatments, manipulations, or exercises shall be given only by or under the direct supervision of a technician.

§ 21.21 *Use of pools.* No person shall use the pools except on presenting a prescription describing the treatment from a registered physician. A period of two weeks must have elapsed since the subsidence of abnormal temperature in persons who have had any acute infectious disease or acute respiratory disease before they may be permitted to

enter the pools. A period of one month must have elapsed since the subsidence of acute features in acute anterior poliomyelitis before the patient may be permitted to enter the pools.

§ 21.22 *Persons excluded from the pools.* The following persons are excluded from and will not be given treatments in the pools:

(a) Persons with acute or infectious lesions on any part of the body, particularly of the skin, throat, or genitalia.

(b) Persons with a discharge from the eyes, nose, mouth, ears, or genitalia.

(c) Persons showing abnormal temperature or marked cough.

(d) Persons without complete control of the bladder or rectum.

§ 21.23 *Transfer and redemption of tickets.* Tickets for baths and other services are not transferable by the purchaser thereof. Unused tickets may be redeemed by the purchaser within three years from the date of purchase, according to the redemption scale approved by the Secretary of the Interior.

§ 21.24 *Lost tickets.* A patron who loses his ticket may continue to receive service, without additional charge, for the number of units remaining in the ticket. Records of lost tickets, and of service given thereunder, shall be maintained as required by the Superintendent. Lost tickets shall have no redemption value.

§ 21.25 *Physical examinations.* No technician or other employee who comes in direct personal contact with bathers will be permitted to enter on duty without first undergoing physical examinations, or remain in such employment without undergoing periodic physical examinations, as required by the Superintendent, and being found free from any infectious or communicable diseases.

CROSS REFERENCE: For list of communicable diseases included in the regulations of the United States Public Health Service, see 42 CFR 72.2.

§ 21.26 *Solicitation by employees.* Soliciting by employees for any purpose, including soliciting for gratuities, commonly called "tips," is prohibited in all bathhouses.

§ 21.27 *Prescriptions and use of medical instruments.* No technician may prescribe diets or waters, make diagnoses of ailments, or use in his work a clinical thermometer, stethoscope, or any other medical instrument employed by a physician.

§ 21.28 *Fees.* Technicians shall charge for their services the rates provided and approved for them by the Secretary, which fees shall be collected and accounted for to them by the bathhouse management.

§ 21.29 *Badges for bath attendants.* Bath attendants, when granted certificates of qualification, shall obtain a numbered badge, to be furnished at cost by the Superintendent, which shall be worn at all times when such attendants are on duty.

§ 21.30 *Accidents.* A bathhouse manager shall report, in writing, all accidents

which occur in bathhouses to the office of the Superintendent. In case circumstances preclude a written report being submitted immediately, an oral report must be made immediately which must be substantiated by a written report at the earliest possible time.

§ 21.31 *Lockers.* A bathhouse concessioner receiving deposits of jewelry, money, or other valuables from bathers shall provide means for the safekeeping thereof, satisfactory to the Superintendent. It is understood, however, that the Government assumes no responsibility in the premises. All losses must be reported, in writing, to the Superintendent promptly by the bathhouse manager. Any losses or thefts, no matter how small, should be reported immediately in order that proper action can be taken for the benefit of the bathhouse and the public.

Issued this 22d day of September 1954.

CLARENCE A. DAVIS,
Acting Secretary of the Interior

[F. R. Doc. 54-7538; Filed, Sept. 27, 1954;
8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders [Public Land Order 1011]

UTAH

WITHDRAWING PUBLIC LANDS FOR USE OF THE ATOMIC ENERGY COMMISSION

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights the following-described public lands in Utah are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved for the use of the United States Atomic Energy Commission:

UTAH

SALT LAKE UPRIDIAN

T. 23 S., R. 26 E.,
Secs. 23, 29 and 30.
T. 36 S., R. 24 E.,
Secs. 33 and 34;
Sec. 35, W $\frac{1}{2}$.
T. 37 S., R. 24 E.,
Secs. 3, 4, 5, 8 and 9;
Sec. 10, N $\frac{1}{2}$.

The areas described aggregate approximately 7,040 acres.

The reservation made by this order shall be subject to existing withdrawals affecting any of the lands for National Forest purposes, and shall take precedence over but not otherwise affect the Departmental order of June 22, 1935, establishing Utah Grazing District No. 6.

FRED G. AANDAL,
Assistant Secretary of the Interior.

SEPTEMBER 21, 1954.

[F. R. Doc. 54-7537; Filed, Sept. 27, 1954;
8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 2—SPECIAL RULES OF PROCEDURE

REVISION OF INTERPRETATIVE SPECIAL RULES RELATING TO TEMPORARY OPERATING AUTHORITIES AND APPROVALS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 15th day of September, A. D. 1954.

The revision of interpretative special rules, under authority of section 12 of the Administrative Procedure Act (5 U. S. C. 1011) relating to extension, pursuant to section 9 (b) of that act (5 U. S. C. 1008(b)) beyond the specified expiration date, of temporary operating authorities and approvals granted under sections 210a (a) 210a (b) 311 (a) and 311 (b) of the Interstate Commerce Act (49 U. S. C. 310a (a) 310a (b) 911 (a) and 911 (b)) being under consideration:

It is ordered, That Part 2 be, and it is hereby, revised by deleting the entire context and substituting in lieu thereof the following:

TEMPORARY OPERATING AUTHORITIES AND APPROVALS

Sec.

- 2.1 Extension of temporary operating authority and approval.
- 2.2 Definitions and interpretations.
- 2.3 Additional grant for new need.
- 2.4 Termination of temporary authority or approval.

AUTHORITY: §§ 2.1 to 2.4 issued under sec. 17, 24 Stat. 385, as amended, 49 Stat. 546, as amended, sec. 201, 54 Stat. 933; 49 U. S. C. 17, 304, 904. Interpret or apply sec. 10, 52 Stat. 1238, as amended, sec. 201, 54 Stat. 943, as amended; 49 U. S. C. 310a, 911.

§ 2.1 *Extension of temporary operating authority or approval.* The Commission will determine upon written request by any interested party, or it may determine upon its own initiative, whether under section 9 (b) of the Administrative Procedure Act (5 U. S. C. 1008 (b))

(a) Any temporary operating authority granted under 210a (a) or 311 (a) of the Interstate Commerce Act (49 U. S. C. 310a (a) 911 (a)) is continued in force, beyond the expiration date specified in such temporary operating authority, until the determination of an application filed by the holder of such temporary operating authority for a certificate of public convenience and necessity or a permit to engage in operations authorized by such temporary operating authority.

(b) Any temporary approval granted under section 210a (b) or 311 (b) of the Interstate Commerce Act (49 U. S. C. 310a (b) 911 (b)) is continued in force, beyond the expiration date specified in such temporary approval, until the determination of the related application for approval of a consolidation or merger of the properties of two or more motor or water carriers or of a purchase, lease, or contract to operate the properties of one or more such carriers.

In order to afford sufficient time for consideration and action thereon, a written request for such a determination should be filed not later than 30 days prior to

expiration of the temporary operating authority or approval.

§ 2.2 *Definitions and interpretations.* In making the determination provided in § 2.1, the Commission will be guided by the following interpretations of the provisions of the 3d sentence of section 9 (b) of the Administrative Procedure Act (5 U. S. C. 1008 (b)) and of the provisions of section 210a (a) of the Interstate Commerce Act (49 U. S. C. 310a (a))

(a) *Timely application.* An application for a certificate of public convenience and necessity or a permit filed in accordance with the applicable laws, regulations, and instructions, not later than 60 days after issuance of temporary authority for a period of 180 days or not later than 60 days after issuance of the first of a series of consecutive temporary authorities aggregating 180 days.

(b) *Sufficient application.* An application for a certificate of public convenience and necessity or a permit, which is in the form, contains the information, and is accompanied by the documents and exhibits required by the applicable laws, regulations, and instructions.

(c) *Aggregate of 180 days.* As used in section 210a (a) of the act and Commission notices and orders relating thereto, the term "for not more than an aggregate of one hundred and eighty days" means the total number of days of temporary authority which may be granted to a motor carrier under the provisions of that section of the act to meet a continuing need for a particular service.

(d) *Series of grants.* As relates to extensions of temporary authorities under section 9 (b) of the Administrative Procedure Act (5 U. S. C. 1008 (b)) only those grants of temporary authority for less than 180 days which have been approved to meet a specific continuing need and which follow one after the other without interruption for a total of 180 days will be considered as a "series of consecutive temporary authorities aggregating 180 days"

(e) *Need considered not to be of a continuing nature.* Any need which is the basis of an operation authorized by a temporary authority or approval to be conducted for a period of less than an aggregate of 180 days is presumed not to be of a "continuing nature" unless the Commission otherwise expressly determines.

(f) *Final determination of application.* For the purpose of this section—

(1) An application for a certificate or permit shall be considered to be "finally determined" (i) with respect to operations for which the certificate or permit is denied, upon the expiration of the period allowed by the rules and regulations of the Commission or by the order (whichever is greater) within which petitions for rehearing, reargument, or reconsideration may be filed, or upon the denial of such petitions if filed, and (ii) with respect to operations for which the certificate or permit is granted, when the certificate or permit becomes effective.

(2) An application for approval of a consolidation or merger of the properties of two or more motor or water car-

riers, or of a purchase of the properties of one or more such carriers shall be considered to be "finally determined" (i) in the case of denial of such an application, upon the expiration of the period allowed by the rules and regulations of the Commission or by the order (whichever is greater) within which petitions for rehearing, reargument, or reconsideration may be filed, or upon the denial of such petitions if filed, and (ii) in the case of approval of such an application, when the certificate or permit to be transferred in connection with such application has been reissued in the name of the transferee and has become effective.

(3) An application for approval of a lease or contract to operate the properties of one or more motor or water carriers shall be considered to be "finally determined," (i) in the case of denial of such an application, upon the expiration of the period allowed by the rules and regulations of the Commission or by the order (whichever is greater) within which petitions for rehearing, reargument, or reconsideration may be filed, or upon the denial of such petitions if filed, and (ii) in the case of approval of such an application, when the order approving such application becomes effective.

§ 2.3 *Additional grant for new need.* If the need for a particular service ceases and the temporary authority covering such need expires or is revoked and a new or separate need arises subsequent to such expiration or revocation, additional temporary authority for the 180-day aggregate, or for a shorter period, may be granted to the same carrier for the service notwithstanding the prior grant or grants. However, an application filed after the expiration or revocation of temporary authority for an aggregate of 180 days will be denied unless the facts clearly show that the application is in reality based on a new need and not on a continuation of the need on which the prior grant of authority was based.

§ 2.4 *Termination of temporary authority or approval.* Nothing in this part shall be construed as preventing the Commission from terminating at any time, in accordance with law, any temporary authority or approval, or any extension thereof under section 9 (b) of the Administrative Procedure Act (5 U. S. C. 1008 (b))

It is further ordered, That the rules in this part shall become effective October 30, 1954, and shall apply to temporary authorities and approvals expiring on or after that date.

And it is further ordered, That this order shall supersede the order entered herein on July 6, 1948, which is hereby vacated as of the effective date of this order.

Notice of this order shall be given to the public by posting a copy in the office of the Secretary of the Commission and by filing a copy with the Director, Division of the Federal Register.

By the Commission.

[SEAL]

GEORGE W LAIRD,
Secretary.

[F. R. Doc. 54-7569; Filed, Sept. 27, 1954; 8:48 a. m.]

PROPOSED RULE MAKING

TREASURY DEPARTMENT

Internal Revenue Service

[26 CFR (1954) Part 1]

INCOME TAX: TAXABLE YEARS BEGINNING
AFTER DECEMBER 31, 1953; DEPRECIATION

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in sections 167 and 7805 of the Internal Revenue Code of 1954 (P. L. 591, 83d Congress, approved August 16, 1954; 26 U. S. C. 167, 7805).

Section 167 makes important changes from prior law with respect to the deduction for depreciation. The interpretation and rules for application of the provisions of section 167 are set forth in the attached tentative regulations. In order to assist taxpayers in ascertaining those parts of the tentative regulations which may concern them, a brief summary of the important changes in the law on the deduction for depreciation is set forth below. This summary is not in itself an interpretation of the new law and may not be relied upon in any case in which it differs from the tentative regulations. Important changes made by the new law may be summarized as follows:

It provides for the use of the declining balance method at a rate not in excess of 200 percent of the corresponding straight-line rate, the sum of the years-digits method, or equivalent methods which at the end of each year during the first two-thirds of the life of the property result in accumulated allowances not in excess of those under the declining balance method. It grants taxpayers the option to switch from the declining balance method to straight-line depreciation at any time on the basis of unrecovered cost less estimated salvage and estimated remaining life at the time of the switch. The liberalized depreciation methods apply only to property with a useful life of three years or more which is acquired after December 31, 1953, if the original use of the property commences with the taxpayer and commences after that date or the prop-

erty is constructed, reconstructed, or erected after December 31, 1953, and then only to the portion of the basis of such property attributable to construction, reconstruction, or erection after December 31, 1953. It permits agreements in writing with respect to depreciation rates which will then stand in the absence of facts or circumstances not taken into consideration in arriving at such agreements with the burden of proof on the party initiating any change to establish the existence of such facts and circumstances. The changes are to be prospective only.

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

New regulations prescribed under
section 167 of the Internal Revenue Code
of 1954.

Section 167 of the Internal Revenue Code of 1954, Public Law 591 (83d Congress, 2d Session) approved August 16, 1954, relating to depreciation, makes substantive changes in existing law. In order to provide new regulations under section 167 of the Internal Revenue Code of 1954, the following regulations are hereby prescribed:

§ 1.167 (a) Statutory provisions; depreciation, general rule.

SEC. 167. Depreciation.—(a) General rule. There shall be allowed as a depreciation deduction a reasonable allowance for the exhaustion, wear and tear (including a reasonable allowance for obsolescence—

(1) of property used in the trade or business, or

(2) of property held for the production of income.

§ 1.167 (a)–1 Depreciation in general.—(a) General rule. (1) Section 167 (a) provides that a reasonable allowance for the exhaustion, wear and tear, and obsolescence of property used in the trade or business or of property held by the taxpayer for the production of income shall be allowed as a depreciation deduction. The allowance is that amount which should be set aside for the taxable year in accordance with a reasonably consistent plan (not necessarily at a uniform rate) so that the aggregate of the amounts set aside, plus the salvage value, will, at the end of the useful life of the depreciable property, equal the cost or other basis of the property as provided in section 167 (f). The allowance will not include amounts representing a mere reduction in market value not resulting from exhaustion, wear and tear, or obsolescence.

(2) The depreciation allowance in the case of tangible property applies only to that part of the property which is subject to wear and tear, to decay or decline from natural causes, to exhaustion and to obsolescence. The allowance does not apply to inventories or stock in trade, nor to land apart from the improvements or physical development added to it. The allowance does not apply to natural resources which are subject to the allowance for depletion provided in subchapter I (section 611 and following).

The estimated useful life of property for purposes of depreciation may be lengthened or shortened in accordance with the repair and maintenance policy of the taxpayer. No deduction for depreciation shall be allowed on automobiles or other vehicles used solely for pleasure, on a building used by the taxpayer solely as his residence, or on furniture or furnishings therein, personal effects, or clothing; but properties and costumes used exclusively in a business, such as a theatrical business, may be depreciated.

(3) Intangibles, the useful life of which is definitely limited, may be the subject of a depreciation allowance. Examples are patents and copyrights. Intangibles, the useful life of which is not limited, will not usually be depreciable. If an intangible asset is known from experience or other factors to be of use in the business or in the production of income for only a limited period, the length of which can be estimated with reasonable accuracy, such an intangible asset may be the subject of a depreciation allowance. No allowance will be permitted merely because, in the unsupported opinion of the taxpayer, the intangible asset has a limited useful life. No deduction for depreciation is allowable with respect to good will. For rules with respect to organizational expenditures, see section 249.

(4) The capital sum to be recovered through depreciation allowances is the cost or other basis of the property with respect to which the allowance is made. See § 1.167 (f)–1. In the case of the acquisition on or after March 1, 1913, of a combination of depreciable and non-depreciable property for a lump sum, as, for example, buildings and land, the capital sum to be recovered is limited to an amount which bears the same proportion to the lump sum as the value of the depreciable property at the time of acquisition bears to the value of the entire property at that time. In the case of property which has been the subject of allowances for amortization, depreciation deductions will be computed after the close of the amortization period upon the remaining cost or other basis of the property subject to such amortization after adjustment for the amortization allowances. For adjustment to basis, see section 1016.

(b) Depreciation in special cases.—(1) Depreciation of patent or copyright. In computing a depreciation allowance in the case of a patent or copyright, the capital sum to be recovered is the cost or other basis of the patent or copyright. For rules applicable to research and experimental expenditures, see sections 174 and 1016. The allowance should be computed by an apportionment of the cost or other basis of the patent or copyright over its remaining useful life. If the patent or copyright was acquired from the Government, its cost consists of the various Government fees, cost of drawings, experimental models, attorneys' fees, or similar expenditures. Depreciation of a copyright can be taken

*For editorial note explaining the establishment and arrangement of new "Title 26—Internal Revenue, 1954," see Rules and Regulations Section, *supra*.

on the basis of the fair market value as of March 1, 1913, only when affirmative and satisfactory evidence of such value is offered. If in any year before its expiration a patent or copyright becomes valueless, the unrecovered cost or other basis may be deducted in that year.

(2) *Depreciation of drawings and models.* If a taxpayer has incurred expenditures in his business for designs, drawings, patterns, models, or work of an experimental nature calculated to result in improvement of his facilities or his product, and if the period of usefulness of any such asset may be estimated from experience or other factors with reasonable accuracy it may be the subject of depreciation allowances spread over such estimated period of usefulness. See also sections 174 and 1016 for rules applicable to research and experimental expenditures.

(3) *Depreciation in case of farmers.* A reasonable allowance for depreciation may be claimed on farm buildings (except a dwelling occupied by the owner) farm machinery, and other physical property but not including land. A reasonable allowance for depreciation may also be claimed on livestock acquired for work, breeding, or dairy purposes, unless they are included in an inventory used to determine profits in accordance with § 1.61 (a) — Such depreciation should be based on the cost or other basis and estimated useful life of the livestock. See also § 1.162 (a) — relating to trade or business expenses, § 1.165 —, relating to losses of farmers, and § 1.175 —, relating to soil or water conservation expenditures.

(c) *Accounting for depreciable property.* (1) In order that the verification of depreciation allowances claimed by the taxpayer may be facilitated, depreciation shall be recorded on the taxpayer's books, the amount measuring a reasonable allowance for depreciation either being deducted directly from the book value of the assets or preferably being credited to a depreciation reserve account, which should be reflected in the annual balance sheet. For the same reason the allowances shall be computed and recorded with express reference to specific items or groups of property, each item being considered separately or specifically included in a group with other items to which the same factors apply. Also, the taxpayer's books shall show the basis of the depreciable property and any adjustments thereto, and in cases where the basis of the property is other than cost, the books shall show the data used in ascertaining such basis and the adjustments thereto. If a taxpayer does not desire to have his regular books of account show all of the factors entering into the computation of depreciation allowances, such factors shall be recorded in auxiliary records which shall be kept with and reconciled with the regular books of account. Depreciation schedules filed with the return shall show reserves computed in accordance with allowances for income tax purposes.

(2) Depreciable property may be accounted for by items, or by classified, group, or composite accounts. A tax-

payer may keep records of depreciable property by annual acquisitions. In item accounting, individual records are maintained indicating the cost or other basis of each item. Depreciation on each item is computed separately. Classified or group accounts are variations of composite accounts. In classified accounting, assets are segregated according to use, for example, machinery and equipment, furniture and fixtures, and transportation equipment. In group accounting, assets similar in kind with approximately the same useful lives are grouped together. In composite accounting, all the assets of a business may be included in a single group, regardless of their character or useful lives.

(d) *Losses on retirement.* If depreciation is computed on more than one item and the rates are based on the average lives of the assets, losses claimed on the normal retirement of any such assets are not allowable. Since the use of an average rate, contemplates that some items will be retired before the average useful life and that others will be retired after the average life has been reached there is, therefore, no actual loss upon the retirement of any individual asset under such circumstances. In order to account properly for such retirement the entire cost or other basis of assets retired, adjusted for salvage, shall be charged to the depreciation reserve account, which will enable the full cost or other basis of the property to be recovered. See § 1.167 (b)-1 (b) (2) (ii) for a special rule in connection with the retirement of the last asset of a given year's acquisitions where depreciation is computed under the declining balance method. Also, see section 165 and the regulations thereunder for rules relating to the deduction of losses resulting from sale or exchange, casualty, or abandonment, other than normal retirements, of property subject to depreciation.

(e) *Obsolescence.* The depreciation allowance includes an allowance for normal obsolescence, that is, in computing the estimated useful life of the property consideration should be given to the extent to which the expected useful life of an asset will be shortened by reason of technological improvement or reasonably foreseeable economic changes. In any case in which the taxpayer shows that the estimated useful life previously used in connection with any property should actually be shortened by reason of normal obsolescence greater than had been assumed in computing such estimated useful life, a change to a new and shorter estimated life computed in accordance with such showing will be permitted. Abnormal or extraordinary obsolescence, in contrast to normal obsolescence, is generally caused by a rapid advance in technology or by sudden economic changes which could not reasonably have been foreseen by the taxpayer at the time of acquisition of the asset. A reasonable addition to the allowance for depreciation may be allowed for abnormal obsolescence in connection with each item of property with respect to which the facts supporting such an addition are clearly shown. No deduction for abnormal ob-

solescence will be permitted based merely upon the unsupported opinion of the taxpayer that the property may become obsolete at some later date. If the estimated useful life and the depreciation rate have been the subject of a previous agreement, see section 167 (d)

(f) *When depreciation deduction is allowable.* A taxpayer is not permitted under the law to take advantage in later years of his prior failure to deduct any depreciation allowance or of his action in deducting an allowance plainly inadequate under the known facts in prior years. This rule is applicable regardless of the method of depreciation used by the taxpayer.

§ 1.167 (b) *Statutory provisions; depreciation, use of certain methods and rates.*

SEC. 167. Depreciation. * * *

(b) *Use of certain methods and rates.* For taxable years ending after December 31, 1953, the term "reasonable allowance" as used in subsection (a) shall include (but shall not be limited to) an allowance computed in accordance with regulations prescribed by the Secretary or his delegate, under any of the following methods:

- (1) the straight line method,
- (2) the declining balance method, using a rate not exceeding twice the rate which would have been used had the annual allowance been computed under the method described in paragraph (1),
- (3) the sum of the years-digits method, and
- (4) any other consistent method productive of an annual allowance which, when added to all allowances for the period commencing with the taxpayer's use of the property and including the taxable year, does not, during the first two-thirds of the useful life of the property, exceed the total of such allowances which would have been used had such allowances been computed under the method described in paragraph (2).

Nothing in this subsection shall be construed to limit or reduce an allowance otherwise allowable under subsection (a).

§ 1.167 (b)-1 *Methods of computing depreciation—(a) In general.* Any reasonable and consistent method of computing depreciation may be used or continue to be used in computing depreciation under section 167. Whatever method is adopted, due regard must be given to operating conditions during the taxable period. The reasonableness of any claim for depreciation shall be determined upon the basis of conditions known to exist at the end of the period for which the return is made. If the cost or other basis (less salvage) of the property has been recovered through depreciation or other allowances, no further deduction for depreciation shall be allowed. The deductions for depreciation shall be limited to such amounts as may be necessary to recover during the remaining useful life of the property the unrecovered cost or other basis less salvage. It is the responsibility of the taxpayer to establish the reasonableness of the deduction for depreciation claimed under the provisions of section 167. Generally depreciation deductions so claimed will be changed only where there is a clear and convincing basis for a change.

(b) *Certain methods and rates.* Methods previously found adequate to produce a reasonable allowance under the Internal Revenue Code of 1939 or prior revenue laws will, if used consistently by the taxpayer, continue to be acceptable under section 167. The following methods shall be deemed to produce a reasonable allowance except as limited under section 167 (c) and the regulations thereunder.

(1) *Straight line method.* Under this method, the cost or other basis of the property (see § 1.167 (f)-1) less its estimated salvage value, is deductible in equal annual amounts over the period of the estimated useful life of the property. The allowance for depreciation for the taxable year is determined by dividing the adjusted basis of the property at the beginning of the taxable year, less salvage value, by the remaining useful life of the property at such time. For convenience, the allowance so determined may be reduced to a percentage. The estimated remaining useful life of property may be subject to modification by reason of conditions known to exist at the end of each taxable year. This method may be used in determining a reasonable allowance for depreciation with respect to any property which is subject to depreciation under section 167.

(i) *Example.* Under the straight line method (assuming no salvage value) items may be depreciated separately as follows:

Year	Item	Cost or other basis	Useful life	Depreciation allowable		
				1954	1955	1956
1954	Automobile	\$1,600	4	\$200	\$400	\$400
	Building	12,000	40	150	350	300

¹ One-half of the annual depreciation is taken on new additions, which were made on July 1 of the taxable year.

(ii) *Example.* In classified, group, or composite accounting, a number of assets with the same or different useful lives may be grouped together into one account, and a single rate of depreciation, i.e., the group, classified, or composite rate is used for the entire account. In the case of group accounts the group rate is ordinarily determined from the average of the physical useful lives of the assets contained in the group. In the case of classified or composite accounts the classified or composite rate is ordinarily computed by determining the amount of one year's depreciation for each item or classification, and then dividing the total depreciation thus obtained by the total cost or other basis of the assets. An example of the computation of a classified or composite rate (assuming no salvage value) follows:

Costs or other basis	Estimated useful life	Annual depreciation
\$10,000	Years 5	\$2,000
10,000	15	667
20,000		2,667

Average rate (\$2,667÷\$20,000)=13.33 percent.
No. 188—8

Assuming the estimated salvage value is 10 percent of the cost or other basis, the rate adjusted for salvage will be 13.33 percent minus 10 percent of 13.33 percent (13.33% minus 1.33%), or 12 percent. The average rate of 13.33 percent (or 12 percent if adjusted for salvage) is to be used as long as subsequent additions, retirements, or replacements do not substantially alter the relative proportions of different groups of assets in the account.

(iii) *Example.* The use of the straight line method for classified, group, or composite accounts may be illustrated by the following example: A taxpayer main-

tains an asset account for which a group rate (assuming no salvage value) of 20 percent has been determined. During the years illustrated, the initial investment, additions and retirements which were determined not to change the composition of the group substantially, so as to require a change in rate, were assumed to have been made on July 1 of each year as follows:

1954—Initial investment of \$12,000.
1957—Retirement \$2,000.
1959—Retirement \$2,000.
1959—Retirement \$4,000.
1959—Added \$10,000.
1960—Retirement \$2,000.
1961—Retirement \$2,000.

DEPRECIABLE ASSET ACCOUNT AND DEPRECIATION COMPUTATION ON AVERAGE BALANCES

Year	Asset balances Dec. 31	Current additions	Current retirements	Average balances ¹	Rate (percent)	Allowable depreciation
1954	\$12,000	\$12,000		\$5,000	20	\$1,200
1955	12,000			12,000	20	2,400
1956	12,000			12,000	20	2,400
1957	10,000		\$2,000	11,000	20	2,200
1958	8,000		2,000	9,000	20	1,800
1959	14,000	10,000	4,000	11,000	20	2,200
1960	12,000		2,000	13,000	20	2,600
1961	10,000		2,000	11,000	20	2,200

¹ In this example the average balances were used. Average balances were computed by adding the beginning and ending balances and dividing the total by 2. The use of this method for computing average balances does not imply that no other method may be used.

CORRESPONDING DEPRECIATION RESERVE ACCOUNT

Year	Depreciation reserve Dec. 31	Current retirements	Depreciation allowable
1954	\$1,200		\$1,200
1955	3,600		2,400
1956	6,000		2,400
1957	8,200	\$2,000	2,200
1958	6,000	2,000	1,800
1959	4,200	4,000	2,200
1960	4,800	2,000	2,600
1961	5,000	2,000	2,200

If in the preceding example it had been estimated that salvage would be 10 percent, then the rate would have been 18 percent (20 percent less 10 percent of 20 percent) and the salvage realized would have been credited to the reserve.

(2) *Declining balance method.* Under this method a uniform rate is applied each year to the unrecovered cost or other basis of the property (without regard to the salvage value) in determining a reasonable allowance for depreciation. The rate is applied to the unrecovered cost or other basis which is reduced by depreciation previously allowed or allowable. For adjustments to basis see § 1.1016—The rate used under this method shall not exceed twice the normal straight line rate (without adjustment for salvage) applicable to new assets. (See section 167 (c) for limitations.)

(i) *Example.* Computation of depreciation allowances under the declining

balance method for a single asset may be illustrated by the following example: A new asset having an estimated useful life of 20 years is purchased on January 1, 1954, for \$1,000. The normal straight line rate (without adjustment for salvage) is 5 percent (1 divided by 20) and the declining balance rate at twice the normal straight line rate is 10 percent. The annual depreciation allowances for 1954, 1955, and 1956 would be as follows:

Year	Remaining basis	Declining balance rate (percent)	Depreciation allowance
1954	\$1,000	10	\$100
1955	900	10	90
1956	810	10	81

(ii) *Example.* The declining balance method may be used with classified, group, or composite accounts. The use of the declining balance method for classified, group, or composite accounts may be illustrated by the following example: A taxpayer maintains a group or composite account to which a 40 percent declining balance rate is applicable. Original investment, additions and retirements are considered to be the same as those set forth in the example in subparagraph (1) (iii) above, except that certain net salvage realized has been taken into account as indicated in the depreciation reserve account.

DEPRECIABLE ASSET ACCOUNT AND DEPRECIATION COMPUTATION USING AVERAGE ASSET AND RESERVE BALANCES

Year	Asset balances Dec. 31	Current additions	Current retirements	Average balances	Average reserve before depreciation	Net depreciable balance	Rate (percent)	Allowable depreciation
1954	\$12,000	\$12,000		\$5,000		\$5,000	40	\$2,000
1955	12,000			12,000	\$2,400	9,600	40	3,840
1956	12,000			12,000	6,240	5,760	40	2,304
1957	10,000		\$2,000	11,000	7,644	3,356	40	1,342
1958	8,000		2,000	9,000	7,165	1,835	40	735
1959	14,000	10,000	4,000	11,000	5,212	5,788	40	2,315
1960	12,000		2,000	13,000	4,727	8,273	40	3,310
1961	10,000		2,000	11,000	6,023	4,977	40	1,991

DEPRECIATION RESERVE ACCOUNT

Year	Reserve Jan. 1	Current retirements	Net salvage realized	Reserve Dec. 31, before depreciation	Average reserve before depreciation	Allowable depreciation	Reserve Dec. 31, after depreciation
1954.....						\$2,400	\$2,400
1955.....	\$2,400			\$2,400	\$2,400	3,840	6,240
1956.....	6,240			6,240	6,240	2,304	8,544
1957.....	8,544	\$2,000	\$200	6,744	7,644	1,342	8,086
1958.....	8,086	2,000	200	6,286	7,186	726	7,012
1959.....	7,012	4,000	400	3,412	5,212	2,315	5,727
1960.....	5,727	2,000		3,727	4,727	3,309	7,036
1961.....	7,036	2,000		5,036	6,036	1,986	7,022
1962.....	7,022						

Although salvage value is disregarded in computing a declining balance rate, it must be recognized and accounted for when assets are retired, in accordance with the taxpayer's method of accounting for salvage. If in this example the taxpayer had kept his depreciation records by year of acquisition and all the retirements shown in the example were from 1954 acquisitions, depreciation would be computed on the 1954 and 1959 acquisitions as follows:

1954 ACQUISITIONS

Year	Asset balances Dec. 31	Current retirements	Average balances	Average reserve before depreciation	Net depreciable balance	Rate (percent)	Allowable depreciation
1954.....	\$12,000		\$6,000		\$6,000	40	\$2,400
1955.....	12,000		12,000	\$2,400	9,600	40	3,840
1956.....	12,000		12,000	6,240	5,760	40	2,304
1957.....	10,000	\$2,000	11,000	7,644	3,356	40	1,342
1958.....	8,000	2,000	9,000	7,186	1,814	40	726
1959.....	4,000	4,000	6,000	5,212	788	40	315
1960.....	2,000	2,000	3,000	2,727	273	40	109
1961.....		2,000	1,000	836			164

¹ Balance allowable as depreciation in the year of retirement of the last survivor of the 1954 acquisitions.

DEPRECIATION RESERVE ACCOUNT FOR 1954 ACQUISITIONS

Year	Reserve Jan. 1	Current retirements	Net salvage realized	Reserve Dec. 31, before depreciation	Average reserve before depreciation	Allowable depreciation	Reserve Dec. 31, after depreciation
1954.....						\$2,400	\$2,400
1955.....	\$2,400			\$2,400	\$2,400	3,840	6,240
1956.....	6,240			6,240	6,240	2,304	8,544
1957.....	8,544	\$2,000	\$200	6,744	7,644	1,342	8,086
1958.....	8,086	2,000	200	6,286	7,186	726	7,012
1959.....	7,012	4,000	400	3,412	5,212	315	3,727
1960.....	3,727	2,000		1,727	2,727	109	1,836
1961.....	1,836	2,000		(164)	836	164	

1959 ACQUISITIONS

Year	Asset balances Dec. 31	Average balances	Reserve Dec. 31 before depreciation	Net depreciable balance	Rate (percent)	Allowable depreciation	Reserve Dec. 31 after depreciation
1959.....	\$10,000	\$5,000	None	\$5,000	40	\$2,000	\$2,000
1960.....	10,000	10,000	\$2,000	8,000	40	3,200	5,200
1961.....	10,000	10,000	5,200	4,800	40	1,920	7,120

Thus, where depreciation accounts are maintained by year of acquisition, if there is an unrecovered balance at the time of the last retirement such unrecovered balance may be deducted as part of the depreciation allowance for the year of such retirement. In the above example the allowable depreciation with respect to the 1954 acquisitions totals \$11,200. This amount when increased by salvage realized in the amount of \$800, equals the entire cost or other basis of the 1954 acquisitions (\$12,000).

(3) Sum of the years-digits method.

(i) Under this method annual allowances for depreciation are computed by applying changing fractions to the taxpayer's cost or other basis of the property (re-

duced by estimated salvage) The fraction for each year is the number corresponding to the remaining useful life (including the year for which the allowance is being computed) divided by the sum of all the years-digits corresponding to the estimated life of the item. (See section 167 (c) for limitations.)

(ii) Computation of depreciation allowances under the sum of the years-digits method may be illustrated by the following examples:

Example (1). A new asset having an estimated useful life of five years, is purchased on January 1, 1954, for \$1,750. The estimated salvage is \$250. For a taxpayer filing his returns on a calendar year basis, the annual depreciation allowances are as follows:

Year	Cost or other basis less salvage	Fraction ¹	Allowable depreciation	Depreciation reserve
1954.....	\$1,500	5/15	\$500	\$500
1955.....	1,500	4/15	400	900
1956.....	1,500	3/15	300	1,200
1957.....	1,500	2/15	200	1,400
1958.....	1,500	1/15	100	1,500

Unrecovered value (salvage)..... 250

¹ The denominator of the fraction is the sum of the digits representing the years of useful life, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 1, or 16.

Example (2). The following example illustrates a method of allocating depreciation between taxable years in the case of assets not on hand at the beginning of the taxable year. For the purpose of this example, assume that the asset in the preceding example was acquired on April 1, 1954.

	Depreciation for 12 months	Allowable depreciation		
		1954	1955	1956
1st year.....	\$500	(9/12) \$375	(3/12) \$125	
2d year.....	400		(9/12) 300	(3/12) \$100
3d year.....	300			(9/12) 225
		\$375	\$425	\$325

(4) *Other methods.* Under section 167 (b) (4) a taxpayer may use any consistent method which does not result in accumulated allowances at the end of any year greater than the total of the accumulated allowances which would have resulted from the use of the declining balance method. Such limitation applies only during the first two-thirds of the useful life of the property. For example, an asset costing \$1,000 having a useful life of six years may be depreciated under the declining balance method in accordance with subparagraph (2) of this paragraph at a rate of 33 1/3 percent. During the first 4 years or 2/3 of its useful life depreciation allowances under the declining balance method would be as follows:

Cost of asset	Current depreciation	Accumulated depreciation	Balance
First year.....	\$333	\$333	\$1,000
Second year.....	222	555	445
Third year.....	148	703	297
Fourth year.....	99	802	198

An annual allowance computed by any other method could not exceed \$333 for the first year. At the end of the second year, the total allowances for the two years under any other method, could not exceed \$555. At the end of the third year the total allowances for the three years under any other method, could not exceed \$703. At the end of the fourth year, the total allowances for the four years under any other method, could not exceed \$802. This limitation would not apply in the fifth and sixth years. (See section 167 (c) for limitations.)

(c) *Application of methods.* In the case of item accounts, any method which results in a reasonable allowance for depreciation may be selected for each item of property, but such method must be applied consistently to that particular

item. In the case of group, classified, or composite accounts, any such method may be selected for each account and such method must be applied to that particular account consistently thereafter. See, however, §§ 1.167 (e)-1 and 1.446 (e)-1 for rules relating to changes in the method of computing depreciation, and § 1.167 (c)-1 for limitation on the use of certain methods.

§ 1.167 (c) *Statutory provision; depreciation; limitations on use of certain methods and rates.*

Sec. 167. Depreciation. * * *

(c) *Limitations on use of certain methods and rates.* Paragraphs (2), (3), and (4) of subsection (b) shall apply only in the case of property (other than intangible property) described in subsection (a) with a useful life of 3 years or more—

(1) the construction, reconstruction, or erection of which is completed after December 31, 1953, and then only to that portion of the basis which is properly attributable to such construction, reconstruction, or erection after December 31, 1953, or

(2) acquired after December 31, 1953, if the original use of such property commences with the taxpayer and commences after such date.

§ 1.167 (c)-1 *Limitation on methods of computing depreciation—(a) In general.* Section 167 (c) provides limitations which restrict the use of certain methods for computing the depreciation allowance. It does not limit the use of methods previously found acceptable so long as the depreciation allowance so computed continues to be reasonable in the light of the facts available at the end of the taxable year.

(b) *Property acquired at any time.* (1) *Straight-line method:* This method may be used in computing the allowance for depreciation in connection with property of any kind, tangible or intangible, which is subject to the allowance for depreciation regardless of when acquired.

(2) Any other consistent method previously found acceptable may be used so long as the allowance for depreciation so computed is reasonable in the light of the facts available at the end of the taxable year. An example of an acceptable method is the declining balance method with the rate limited to 150 percent of the applicable straight-line rate. For rules relating to change in methods of computing depreciation see § 1.167 (e)-1.

(c) *Property acquired after 1953.* (1) The methods specified in this paragraph for computing the depreciation allowance are applicable to tangible property with a useful life of three years or more, the construction, reconstruction, or erection of which is completed after 1953. These methods apply only to that portion of the basis of the property which is properly attributable to such construction, reconstruction, or erection after 1953. These methods also apply to tangible property with a useful life of three years or more acquired after 1953, if the original use of such property commences with the taxpayer and commences after such date. If the other conditions for the application of these methods are satisfied, a lessor may apply such a method to tangible property ac-

quired, constructed, reconstructed, or erected by him for his lessee, and a lessee may apply such a method to tangible property acquired, constructed, reconstructed, or erected by him as a leasehold improvement (but not to property acquired by him as a part of his leasehold interest). These methods are:

(i) The declining balance method: This method may be used in connection with tangible property if the maximum rate does not exceed 200 percent of the applicable straight-line rate.

(ii) Sum of the years-digits method.

(iii) Any other consistent method productive of an annual allowance which, when added to all allowances for the period commencing with the taxpayer's use of the property and including the taxable year, does not, during the first two-thirds of the useful life of the property, exceed the total of such allowances which would have been used had such allowances been computed under the method described in subdivision (i) of this subparagraph. See § 1.167 (b)-1 for application of the various methods.

(2) Subject to the limitations set forth in subparagraph (1) of this section, the methods of computing the allowance for depreciation specified in subdivisions (i) (ii) and (iii) of such subparagraph may be adopted without permission for property first subject to the allowance for depreciation in the hands of the taxpayer after 1953. No formal election need be made to compute the depreciation allowance on such property under such methods. In order for a taxpayer to elect to use these methods for any property described in the first sentence of this subparagraph he need only compute depreciation thereon under any of these methods for the taxable year ending after 1953 in which the property may first be depreciated by him. The election with respect to any property shall not be binding with respect to any property acquired in a subsequent taxable year. If a taxpayer has filed his return for a taxable year ending after 1953 for which the return is required to be filed before January 1, 1956, the election to compute the depreciation allowance under these methods may be made in an amended return filed before January 1, 1956. The depreciation allowance for property with a useful life of less than three years must be computed under one of the methods described in paragraph (b) of this section for property acquired at any time.

(3) The use of methods applicable only to property acquired after 1953, may be illustrated in the following manner: If a building with a total basis of \$100,000 is completed after 1953, and the portion of the basis attributable to construction after 1953 is \$30,000, the methods described in this paragraph are applicable only to the portion of the total basis attributable to the construction after 1953, \$30,000. The depreciation allowance in connection with the remaining \$70,000 is to be computed in accordance with one of the methods described in paragraph (b) of this section, which are applicable to property acquired at any time. Similarly, if property is acquired after 1953 by the tax-

payer, the methods described in this paragraph are applicable only if the property has not been used prior to its acquisition by the taxpayer. To the extent the taxpayer, after 1953, reconstructs previously used property the reconstruction costs may be depreciated under the methods specified in this paragraph.

§ 1.167 (d) *Statutory provision; depreciation; agreement as to useful life on which depreciation rate is based.*

Sec. 167. Depreciation. * * *

(d) *Agreement as to useful life on which depreciation rate is based.* Where, under regulations prescribed by the Secretary or his delegate, the taxpayer and the Secretary or his delegate have, after the date of enactment of this title, entered into an agreement in writing specifically dealing with the useful life and rate of depreciation of any property, the rate so agreed upon shall be binding on both the taxpayer and the Secretary in the absence of facts or circumstances not taken into consideration in the adoption of such agreement. The reasonableness of establishing the existence of such facts and circumstances shall rest with the party initiating the modification. Any change in the agreed rate and useful life specified in the agreement shall not be effective for taxable years before the taxable year in which notice in writing by registered mail is served by the party to the agreement initiating such change.

§ 1.167 (d)-1 *Agreement as to useful life and rates of depreciation.* After August 16, 1954, a taxpayer may, for taxable years ending after 1953, enter into an agreement with respect to the estimated useful life, method, and rate of depreciation of any property which is subject to the allowance for depreciation. An application for such agreement may be made to the district director of internal revenue for the district in which the taxpayer's income return is required to be filed or to the assistant regional commissioner (appellate) if related to a case within his jurisdiction. Before entering into an agreement, the taxpayer must furnish such information as may be required by the Internal Revenue Service. Such information will ordinarily include:

(a) The character and location of the property.

(b) The original cost or other basis and date of acquisition.

(c) Adjustments to the basis required by section 1016, including depreciation accumulated to the first taxable year to be covered by the agreement.

(d) Estimated remaining useful life and estimated salvage value.

(e) Method and rate of depreciation.

The agreement must be in writing and must be signed by the taxpayer and by the district director, the assistant regional commissioner (appellate) or such other person as is authorized by the Commissioner. The agreement must be signed in triplicate, and two of the signed copies will be returned to the taxpayer. The agreement shall set forth its effective date, the estimated remaining useful life, the estimated salvage value, and rate and method of depreciation of the property, and shall relate only to depreciation allowances for such property on and after the effective date of the agreement. Such an agreement shall be

binding on both parties until such time as facts and circumstances which were not taken into account in making the agreement are shown to exist. The party wishing to modify or change the agreement shall have the responsibility of establishing the existence of such facts and circumstances. Any change in the useful life or rate specified in such agreement shall be effective only prospectively, that is, it shall be effective beginning with the taxable year in which notice of the intention to change, including facts and circumstances warranting the adjustment of useful life or rate, is sent by registered mail by the party proposing the change to the other party. One of the two copies of the agreement (or any modification thereof) which were returned to the taxpayer shall be filed with the return of the taxpayer for the first taxable year which is affected by the agreement (or any modification thereof). The other copy should be retained with the permanent records of the taxpayer. For rules relating to changes in method of depreciation, see §§ 1.167 (e)-1 and 1.446 (e)-1.

§ 1.167 (e) Statutory provision; depreciation, change in method.

Sec. 167. Depreciation. * * *

(e) *Change in method.* In the absence of an agreement under subsection (d) containing a provision to the contrary, a taxpayer may at any time elect in accordance with regulations prescribed by the Secretary or his delegate to change from the method of depreciation described in subsection (b) (2) to the method described in subsection (b) (1).

§ 1.167 (e)-1 *Change in method.* (a) A taxpayer may change, without the consent of the Commissioner, from the declining balance method of depreciation to the straight-line method at any time during the useful life of property in the absence of an agreement under section 167 (d) which contains a provision prohibiting such a change. At the time the change from the declining balance to the straight-line method is made, the unrecovered cost or other basis (less a reasonable estimate for salvage) shall be recovered through annual allowances over the estimated remaining useful life determined in accordance with the circumstances existing at that time. The taxpayer shall furnish a statement, with respect to the property which is the subject of the change in method of depreciation, showing the date of acquisition, cost or other basis, amounts recovered through depreciation and other allowances, the estimated salvage value, the character of the property, the remaining useful life of the property, and such other information as may be required. The statement shall be attached to the income tax return of the taxpayer for the taxable year in which the change is made. A change to the straight-line method must be adhered to for the taxable year of the change and for all subsequent taxable years unless, with the consent of the Commissioner, a change to another method is permitted. Except for property being depreciated in item accounts the taxpayer must maintain subsidiary depreciation records in order to have

sufficient information to make such a change.

(b) Any change in method of depreciation is a change in method of accounting, and such a change will be permitted only with the consent of the Commissioner, except that a change from the declining balance method to the straight-line method as provided in section 167 (e) shall be permitted without such consent. Any request for a change in method of depreciation shall be made in accordance with the regulations under section 446 (e). Such request shall state the method of depreciation being used and the method proposed to be used, the cost or other basis and adjustments thereto, the date of acquisition, estimated salvage value, amounts recovered through depreciation and other allowances, the character and location of the property, the estimated remaining useful life of the property and such other information as may be required.

§ 1.167 (f) Statutory provision, depreciation, basis for depreciation.

Sec. 167. Depreciation. * * *

(f) *Basis for depreciation.* The basis on which exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be the adjusted basis provided in section 1011 for the purpose of determining the gain on the sale or other disposition of such property.

§ 1.167 (f)-1 *Basis for depreciation.* The basis upon which the allowance for depreciation is to be computed with respect to any property shall be the adjusted basis provided in section 1011 for the purpose of determining gain on the sale or other disposition of such property. In the case of property which has not been used in the trade or business or held for the production of income and which is thereafter converted to such use, the fair market value on the date of such conversion, if less than the adjusted basis of the property at that time, is the basis for computing depreciation.

§ 1.167 (g) Statutory provision; depreciation, life tenants and beneficiaries of trusts and estates.

Sec. 167. Depreciation. * * *

(g) *Life tenants and beneficiaries of trusts and estates.* In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust, the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each. In the case of an estate, the allowable deduction shall be apportioned between the estate and the heirs, legatees, and devisees on the basis of the income of the estate allocable to each.

§ 1.167 (g)-1 *Life tenants and beneficiaries of trusts and estates.* In the case of property held by one person for life with remainder to another person, the deduction for depreciation shall be computed as if the life tenant were the absolute owner of the property so that he will be entitled to the deduction during his life, and thereafter the deduction, if any, shall be allowed to the remainder-

man. In the case of property held in trust, the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the will, deed, or other instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income which is allocable to the trustee and the beneficiaries, respectively. For example, if the trust instrument provides that the income of the trust computed without regard to depreciation shall be distributed to a named beneficiary, such beneficiary shall be entitled to the depreciation allowance to the exclusion of the trustee, while if the instrument provides that the trustee in determining the distributable income shall first make due allowance for keeping the trust corpus intact by retaining a reasonable amount of the current income for that purpose, the allowable deduction shall be granted in full to the trustee. In the case of an estate, the allowable deduction shall be apportioned between the estate and the heirs, legatees, and devisees on the basis of income of the estate which is allocable to each.

§ 1.167 (h) Statutory provision, depreciation; depreciation of improvements in the case of mines, etc.

Sec. 167. Depreciation. * * *

(h) *Depreciation of improvements in the case of mines, etc.* For additional rule applicable to depreciation of improvements in the case of mines, oil and gas wells, other natural deposits, and timber, see section 611.

§ 1.167 (h)-1 *Depreciation of improvements in the case of mines, etc.* Property used in the trade or business or held for the production of income which is subject to the allowance for depreciation provided in section 611 shall be treated for all purposes of the Internal Revenue Code of 1954 as if it were property subject to the allowance for depreciation under section 167. The preceding sentence shall not limit the allowance for depreciation otherwise allowable under section 611.

[F. R. Doc. 54-7600; Filed, Sept. 24, 1954; 12:51 p. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 913]

[Docket No. AO-23-A13]

HANDLING OF MILK IN GREATER KANSAS CITY MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Kansas City, Missouri on July 27-30, 1954.

Upon the basis of the evidence introduced at the hearing and the record, thereof, the Deputy Administrator, Ag-

gricultural Marketing Service, on August 20, 1954, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Notice of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on August 25, 1954 (19 F. R. 5403).

Preliminary statement. The material issues considered at the hearing were concerned with the following:

(1) Establishment of a "quota-excess" plan for paying producers in certain months in lieu of the present fall premium incentive plan;

(2) Revisions in the supply-demand adjuster;

(3) Revision of Class I price differentials;

(4) The basis and level of pricing milk for other than Class I use;

(5) Limitations on diversions allowable for continued pooling; and

(6) Conforming language changes in other provisions of the order.

Producers have proposed that the quota-forming period under a quota-excess plan begin on September 1 and that in view of the serious drought situation a special Class I pricing be provided for the period through December 1954. Accordingly, they ask that immediate action be taken with respect to these two issues. Other issues require further consideration and a decision on these matters will be issued separately.

The following findings and conclusions on issue No. 1 and on issue No. 2 for the limited period through December 1954 are based on the evidence introduced at the hearing and the record thereof.

(1) **Quota-excess plan.** A method of paying producers on the basis of their marketings in a representative period of fall months should be adopted to provide additional incentive for producers to adjust their production more nearly to the needs of the market.

A fall incentive payment plan has been a part of pricing mechanism of the Greater Kansas City order since May 1946. This plan, which has operated in conjunction with seasonal price differentials, was proposed initially by producers in an effort to level production to more nearly meet the needs of the market. Producers now propose that a quota-excess plan be incorporated into the order in lieu of the present fall incentive payment plan. They propose that a 122 day period (September through December) be used for the quota-forming period and that no producer be granted a quota if he delivers less than 90 days during such period. Under their proposal the quota-operating period would extend over the eight-month period January through August.

Milk production in the Greater Kansas City milkshed tends to be highest in the spring months and reaches a low point in the fall months. May and June are the months of greatest production while October and November are the usual months of lowest production. Production during the March-July period on the average exceeds that during September-December by roughly 30 percent, with production during the month of

greatest production exceeding that during the month of shortest production by as much as 50 percent. Under usual circumstances Class I sales are relatively stable throughout the year although the record shows a gradual upward trend in such sales.

A closer alignment between the seasonal pattern of production and consumption would effect substantially improved marketing conditions. A considerable seasonal disparity between producer receipts and fluid milk needs results in surplus disposal problems during the flush months and incomplete utilization of plant facilities in other months of the year. Accordingly, the wide seasonal variation in production tends to entail additional costs in the marketing process which must be borne individually or collectively by producers, consumers and handlers. Although producers with relatively even production under the plan heretofore in effect enjoy a somewhat higher annual rate of return than do uneven producers there was testimony nevertheless that "even" producers do not receive sufficient additional income to maintain a significant incentive for their even production pattern. Under the present plan all producers share alike in the total market utilization, and the price received by the "even" producer is reduced in the spring months by reason of the wider seasonal variation in the deliveries of other producers.

While it is probable that the pricing scheme which has been employed in the Kansas City market together with the fall incentive payment plan has been effective in forestalling a more serious seasonal maladjustment between production and fluid demand, an even more marked modification of the seasonal pattern is desirable. The quota-excess plan herein recommended would increase the incentive on a marketwide basis to level out production throughout the year.

The plan herein recommended would establish the period September through December as the quota-forming period. A producer's daily quota would be calculated on the basis of his total milk deliveries to pool plants during such period, divided by the number of days on which deliveries were made, but in no event less than 90. The plan also provides that any producer who fails to establish a quota shall be considered a "new" producer.

Producers would be paid for quota and excess milk during the months of February through July. During all other months producers would be paid on the basis of a uniform price for all milk delivered. The quantity of quota milk for each producer would be computed by multiplying such producer's daily quota by the number of days on which he made deliveries to a pool plant. Any milk so delivered in excess of quota milk would be considered as excess milk and paid for at a lower price to be known as the "excess price." The price for excess milk would be computed by first assigning total receipts of excess milk to Class II to the extent of available Class II utilization and such milk in excess of Class II

use would be assigned to the residual Class I use after the prior deduction of quota milk from the total available Class I use. The price for quota milk would be computed by first assigning such milk to Class I to the extent of available Class I utilization and such milk in excess of Class I use would be assigned to Class II.

The September-December period appears to be a suitable period for giving producers incentive for increasing production as part of a program of evening out their annual production. In the computation of daily quotas each producer's total deliveries for the entire four-month period should be divided by the total number of days on which deliveries are made but in no event by less than 90. Proponents proposed that a quota be established only on the basis of at least 90 days of actual deliveries and that the total deliveries be divided by 122 in all cases. No provision was made for the establishment of a quota for a producer entering the market after October 2 in the quota-forming period. The plan set forth herein will permit a producer to enter the market at any time and to establish a quota on the basis of his performance during the entire quota-forming period. Other producers have assurance that new producers will have no undue advantage in the establishment of quotas since maximum quotas can be established only through deliveries over a minimum of 90 days.

In view of the fact that some producers may have been in doubt as to whether September 1954 deliveries would be used in establishing quotas provision is made that the daily quotas calculated from deliveries in the fall months of 1954 should be the higher of that calculated as above or that resulting from a like calculation using deliveries for the months of October through December 1954.

As a result of exceptions received provisions recommended with respect to interim quotas for producers who made no deliveries during the quota-forming period and with respect to relinquishment of established quotas have been reconsidered in the light of the evidence in the record of hearing. Such evidence indicates that such provisions would provide reduced incentive for leveling of production to those producers whose production is most uneven. It does not appear necessary that they be included in the plan at this time.

Producers proposed that the period of payment on quota and excess milk be the eight-month period of January through August. However, a review of the month to month variation in producer receipts indicates that the months of February through July are the months in which corrective action is necessary with respect to variations in deliveries. It is highly desirable that the quota plan have as large a degree of flexibility as is possible without destroying the desired effectiveness of the plan. Confining the quota operating period to the six months when production in relation to fluid sales is most excessive will preserve flexibility while at the same time offer substantial monetary reward to those producers who level their annual production to meet

more nearly the needs of the market. During the remaining months of August through January all producers on the market would receive the market "blend" or uniform price.

Operation of a quota-excess plan for paying producers requires certain rules in connection with the establishment and transfer of quotas to provide reasonable administrative workability of the plan. To accomplish this purpose and still preserve the effectiveness of the plan transfers of quotas should be limited to situations in which producers may die or enter into military service and where joint production arrangements are dissolved. Since the quota plan herein proposed is to be effective in determining producer payments in only five of the twelve months of the year, and all producers must establish a new base each year, provisions in addition to those contained herein for the establishment and transfer of quotas to meet unusual situations do not appear necessary.

(2) *Class I price through December* No change should be made in the Class I pricing provisions for the period through December 1954. Under the present order provisions the Class I price through December is the basic formula price plus \$1.45, plus or minus a "supply-demand adjustment." Producers explained that in view of the serious drought situation throughout the milkshed and the precarious financial status of producers which resulted from severe losses suffered through two consecutive years of drought, they must have price assurance if they are to continue in business during the forthcoming fall and winter months. They ask that the supply-demand adjustment be suspended and the Class I price differential be established at \$1.90 for the period through December.

The severity of the drought which the milkshed has experienced this summer is in ample evidence throughout the hearing record. Pasture conditions as officially reported vary from 9 to 70 percent of normal throughout the area with conditions generally being less than 30 percent of normal. The condition of the corn crop follows a generally similar pattern and there appears little likelihood that any significant part of the crop will be harvested for other than silage. In many sections hope for any crop at all has been abandoned and fodder is being ensiled for immediate feeding. Drought conditions have necessitated the feeding of hay, green corn and ensilage which producers normally rely on for winter feed. The greatly extended barn feeding season coupled with small crops of home-grown feeds will substantially increase overall feeding costs for the remainder of this year and the early part of 1955.

A considerable drop in milk production has occurred during the month of July and it appears likely that a substantially higher than normal percentage of utilization in Class I will result at least through the early fall months. The supply-demand adjustment in the current month is based upon the relationship of receipts and sales of milk during the immediately preceding two months. For each month since Decem-

ber 1953 this provision has resulted in a downward adjustment of the Class I price. In July the adjustment was a minus 28 cents, the smallest since December. It seems likely that an upward adjustment may result for August and by September the upward adjustment may be rather substantial. If the production pattern for the forthcoming fall and winter continues below normal in relation to sales, the Class I price will continue to strengthen as a result of the operation of the present order provisions. This is in accordance with the intent of the supply-demand adjuster. Under the present order it is possible to obtain a Class I price of \$1.90 over the basic formula, the same price for which producer ask assurance.

A considerable portion of the Greater Kansas City milkshed has been included in the designated drought disaster areas. Dairymen in areas so designated are eligible under specified conditions to secure feed concentrates and grains at reduced prices. While this program is designed to provide a basis for maintaining foundation herds, and not to promote a high level of milk production, it should be of very substantial assistance in minimizing the necessity of disposing of foundation herds which constitute the future milk supply for the Greater Kansas City market. The program should also provide a means whereby a portion of the unusual costs dairymen incur under drought conditions may be avoided.

The number of producers on the Kansas City market has been steadily increasing in recent years in response to ever-increasing requirements for fluid milk. Testimony of both producers and handlers substantiate the existence of adequate prospective milk supplies to meet market needs. It is concluded, therefore, that the present provisions of the order provide a basis for adjusting the Class I price in line with current production and marketing conditions and, accordingly, action should not be taken to substitute a fixed increase in the Class I differentials for these provisions for the period through December 1954.

Rulings on exceptions. Within the period reserved for exceptions, interested parties filed exceptions to certain of the findings, conclusions, and actions recommended by the Deputy Administrator. In arriving at the findings, conclusions and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions, and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to Section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area, and the

minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Determination of representative period. The month of July 1954, is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order, as amended.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement Regulating the Handling of Milk in the Greater Kansas City, Marketing Area," and "Order Amending the order, As Amended, Regulating the Handling of Milk in the Greater Kansas City, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the Federal Register. The regulatory provisions of said marketing agreement are identical with those contained in the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 23d day of September 1954.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.

Order¹ Amending the Order, as Amended, Regulating the Handling of Milk in the Greater Kansas City Marketing Area

§ 913.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") (7 U. S. C. 601 et seq.) and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act:

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Add the following as § 913.16:

§ 913.16 *Quota milk.* "Quota milk" means the amount of milk received by a handler from a producer during each of the delivery periods of February through July which is not in excess of such producer's daily quota computed pursuant to § 913.65 multiplied by the number of days in such delivery period on which such milk was received by the handler: *Provided*, That with respect to any producer on "every-other-day" delivery to a pool plant the days of non-delivery shall be considered as days of delivery for purposes of this section and of § 913.65.

2. Add the following as § 913.17.

§ 913.17 *Excess milk.* "Excess milk" means the amount of milk received by a handler from a producer during each of the delivery periods of February through

July which is in excess of quota milk received from such producer during such delivery period, and shall include all milk received from a producer for whom no daily base can be computed pursuant to § 913.15.

3a. Delete § 913.22 (j) (2) and substitute therefor the following:

(2) On or before the 10th day of each month the applicable uniform price(s) computed pursuant to §§ 913.71 and 913.72 and the producer butterfat differential computed pursuant to § 913.82, both applicable to milk delivered during the previous delivery period;

3b. Amend § 913.22 by adding the following as paragraph (l)

(l) On or before February 1 of each year in writing notify: (1) Each producer who made deliveries of milk during the previous September through December of his daily quota computed pursuant to § 913.65, (2) each cooperative association of the daily quota of each member of such association, and (3) each handler of the daily quota of each producer from whom such handler received milk.

4. Delete § 913.30 (a) and substitute therefor the following:

(a) The receipts at each plant of milk from each producer, the average butterfat test, the pounds of butterfat contained therein, the number of days on which milk was received from such producer, and for each of the delivery periods of February through July, the total pounds of quota milk and excess milk received from each producer.

5. Delete § 913.31 (a) and substitute therefor the following:

(a) The total pounds of milk, the average butterfat test thereof, and the pounds of butterfat received from each producer and cooperative association, and the number of days on which milk was received from such producer, including, for each of the delivery periods of February through July, such producer's deliveries of quota milk and excess milk.

6. Add the following as §§ 913.65 and 913.66:

DETERMINATION OF QUOTA

§ 913.65 *Computation of daily quota for each producer.* The daily quota for each producer applicable during each of the delivery periods of February through July, inclusive, shall be determined by the market administrator as follows:

(a) Divide the total pounds of milk received by a handler(s) at a pool plant from such producer during the immediately preceding delivery periods of September through December by the number of days during such period on which milk was received from such producer, or by 90, whichever is greater: *Provided*, That the daily quota applicable during the delivery periods of February through July 1955 shall be the higher of that resulting from such computation or that resulting from an identical computation with respect to milk received from such producer during the immediately preced-

ing delivery periods of October through December.

§ 913.66 *Daily quota rules.* (a) Except as provided in paragraph (b) of this section, a daily quota shall apply only to milk produced by the producer in whose name such milk was delivered to the handler(s) during the quota-forming period.

(b) A producer may transfer his daily quota during the period of February through July by notifying the market administrator in writing before the last day of any delivery period that such quota is to be transferred to the person named in such notice but under the following conditions only:

(1) In the event of the death or entry into military service of a producer, the entire daily quota may be transferred to a member of such producer's immediate family who carries on the dairy operation on the same farm;

(2) If a quota is held jointly and such joint holding is terminated on the basis of written notice to the market administrator from the joint holders the entire daily quota may be transferred to one of the joint holders, or divided in accordance with such notice between the former joint holders if they continue dairy operations.

7. Delete § 913.71 and substitute therefor the following:

§ 913.71 *Computation of uniform price.* For each of the delivery periods of August through January the market administrator shall compute the uniform price per hundredweight for milk received from producers as follows:

(a) Combine into one total the values computed pursuant to § 913.70 for all handlers who filed reports prescribed in § 913.30 and who made the payments pursuant to §§ 913.80 and 913.84 for the preceding delivery period;

(b) Add the aggregate of the values of all allowable location differential adjustments to producers pursuant to § 913.81.

(c) Add an amount equal to one-half of the unobligated balance in the producer-settlement fund;

(d) Subtract for each one-tenth percent by which the average butterfat content of the milk included in these computations is greater than 3.8 percent, or add for each one-tenth percent that such average butterfat content is less than 3.8 percent, an amount computed by multiplying the butterfat differential computed pursuant to § 913.82 by the total hundredweight of such milk;

(e) Divide by the total hundredweight of milk included in these computations; and

(f) Subtract not less than 4 cents nor more than 5 cents. The resulting figure shall be the uniform price for milk of 3.8 percent butterfat content received at pool plants located less than 50 miles from the City Hall in Kansas City, Missouri.

8. Add the following as § 913.72:

§ 913.72 *Computation of uniform price for quota milk and excess milk.* For each of the delivery periods of February through July the market administrator shall compute uniform prices per hun-

dredweight for quota milk and for excess milk as follows:

(a) Combine into one total the values computed pursuant to § 913.70 for all handlers who filed reports pursuant to § 913.30 and who made the payments pursuant to §§ 913.80 and 913.84 for the preceding delivery period;

(b) Add the aggregate of the values of all allowable location differential adjustments to producers pursuant to § 913.81.

(c) Add an amount equal to one-half of the unobligated balance in the producer-settlement fund;

(d) Subtract for each one-tenth percent by which the average butterfat content of the milk included in these computations is greater than 3.8 percent, or add for each one-tenth percent that such average butterfat content is less than 3.8 percent, an amount computed by multiplying the butterfat differential computed pursuant to § 913.82 by the total hundredweight of such milk;

(e) Compute the total value of excess milk included in these computations by multiplying the hundredweight of such milk not in excess of the total quantity of Class II milk included in these computations by the price for Class II milk of 3.8 percent butterfat content, multiplying the hundredweight of such milk in excess of the total hundredweight of such Class II milk by the price for Class I milk of 3.8 percent butterfat content, and adding together the resulting amounts;

(f) Divide the total value of excess milk obtained in paragraph (e) of this section by the total hundredweight of such milk, and adjust to the nearest cent. The resulting figure shall be the uniform price for excess milk of 3.8 percent butterfat received from producers at pool plants located less than fifty miles from the City Hall in Kansas City, Missouri;

(g) Subtract the value of excess milk obtained in paragraph (e) of this section from the aggregate value of milk obtained in paragraph (d) of this section and adjust by any amount involved in adjusting the uniform price of excess milk to the nearest cent;

(h) Divide the amount obtained in paragraph (g) of this section by the total hundredweight of quota milk included in these computations; and

(i) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (h) of this section. The resulting figure shall be the uniform price for quota milk of 3.8 percent butterfat content received from producers at pool plants located less than fifty miles from the City Hall in Kansas City, Missouri.

10. Delete § 913.80 (a) and substitute therefor the following:

(a) On or before the 12th day after the end of each delivery period during which the milk was received, to each producer for whom payment is not made pursuant to paragraph (c) of this section, at not less than the applicable uniform price(s) pursuant to § 913.71 or § 913.72, adjusted by the butterfat differential computed pursuant to § 913.82, subject to the location adjustment to

producers pursuant to § 913.81, and less the following amounts (1) the payments made pursuant to paragraph (b) of this section, (2) marketing service deductions pursuant to § 913.88, and (3) any deductions authorized by the producer: *Provided*, That if by such date such handler has not received full payment for such delivery period pursuant to § 913.85 he may reduce his total payment to all producers uniformly by not less than the amount of reduction in payment from the market administrator; the handler shall, however, complete such payments not later than the date for making such payments pursuant to this paragraph next following receipt of the balance from the market administrator.

11. Delete § 913.80 (d) (2) and substitute therefor the following:

(2) The pounds per shipment, the total pounds of milk (quota milk and excess milk separately for March through July) and the average butterfat test of milk delivered by the producer.

12. Delete § 913.86.

[F. R. Doc. 54-7590; Filed Sept. 27, 1954;
8:52 a. m.]

17 CFR Part 980]

[Docket No. AO-182-A4]

HANDLING OF MILK IN TOPEKA, KANSAS MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) a public hearing was conducted at Topeka, Kansas on July 23, 1954.

Upon the basis of the evidence introduced at the hearing and the record, thereof, the Deputy Administrator, Agricultural Marketing Service, on August 20, 1954, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision on certain of the issues considered at such hearing. Notice of such recommended decision and opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on August 25, 1954 (19 F. R. 5406).

Preliminary statement. The material issues considered at the hearing were concerned with the following:

1. Establishment of a "base-excess" plan for paying producers in certain months in lieu of the present fall premium incentive plan.
2. A change in the named plants the pay price of which are used as a basis for pricing Class III milk;
3. A revision in the pool plant requirements;
4. A change from a milk equivalent to a butterfat-skim accounting;
5. A revision in the classification and pricing provisions to establish two utilization classes in lieu of the present three classes;

ization classes in lieu of the present three classes;

6. Authorization for the market administrator to provide the producer association with the utilization percentage of milk in each class at each handler's plant;

7. A revision in the amount of the marketing service deduction; and

8. Conforming language changes in other provisions of the order.

Producers proposed that the base setting period under a base-excess plan begin on September 1. Because of the urgency of a decision with respect to this issue and also with respect to the Class III price proposal and the revision of the marketing service deduction this decision is confined to a consideration of these issues. Other issues require further consideration and a decision on these matters will be issued promptly.

Findings and conclusions. The following findings and conclusions on issues No. 1, 2 and 7 are based on the evidence introduced at the hearing and the record thereof:

1. *Base-excess plan.* A method of paying producers on the basis of their marketings in a representative period of fall months should be adopted to provide additional incentive for producers to adjust their production more nearly to the needs of the market.

A fall incentive payment plan has long been a part of the pricing mechanism of the Topeka order. This plan, which has operated in conjunction with seasonal price differentials was proposed initially by producers in an effort to level production to more nearly meet the needs of the market. Producers now propose that a base-excess plan be incorporated into the order in lieu of the present fall incentive payment plan. Under their proposal the 122 day period of September through December would be used as the base-forming period and no producer would be granted a base if he delivered less than 90 days during such period. The base-operating period would extend over the eight-month period of January through August.

Milk production in the Topeka market tends to be highest in the spring months and reaches a low point in the fall months. Under usual circumstances, May and June are the months of greatest production while September through November are the months of lowest production. The average monthly production during the March-July period exceeds that during the preceding September-December period by from 20 to 30 percent with production during the peak month exceeding the shortest month by as much as 50 percent. Class I sales are relatively stable throughout the year, although the record shows a continuing upward trend in such sales.

A closer alignment between the seasonal pattern of production and consumption would effect substantially improved marketing conditions. A considerable seasonal disparity between producer receipts and fluid milk needs results in surplus disposal problems during the flush months and incomplete utilization of plant facilities in other months of the year. Accordingly, a wide

seasonal variation in production tends to entail additional costs in the marketing process which must be borne individually or collectively by producers, consumers, and handlers. Although producers with relatively even production under the plan heretofore in effect enjoy a somewhat higher annual rate of returns, than do uneven producers, there was testimony nevertheless that "even" producers do not receive sufficient additional income to maintain a significant incentive for their even production pattern. Under the present plan, all producers share alike in the total market utilization and the price received by the "even" producer is reduced in the spring months by reason of the wider seasonal variation in the deliveries of other producers.

While it is probable that the pricing plan which has been employed in the Topeka market has been effective in forestalling a more serious seasonal maladjustment between production and fluid demand, an even more marked modification of the seasonal pattern is desirable. The base-excess plan herein recommended would increase incentive on a market-wide basis to level out production throughout the year.

The plan herein recommended would establish the period September through December as the base-forming period. A producer's daily base would be calculated on the basis of his total milk delivered to pool plants during such period, divided by the number of days on which deliveries were made, but in no event less than 90. The plan also provides that any producer who fails to establish a base shall be considered a "new" producer.

Producers would be paid for base and excess milk only during the months of February through July. During all other months, producers would be paid on the basis of a uniform price for all milk delivered. The quantity of base milk for each producer would be computed by multiplying such producers daily base by the number of days on which he made deliveries to a pool plant. Any milk so delivered in excess of base milk would be considered as excess milk and paid for at a lower price to be known as the "excess price." The price paid for excess milk would be computed by assigning total receipts of excess milk to the respective classes of use in sequence starting with the lowest available class utilization in such plant. The price for base milk would be computed by first assigning such milk to Class I to the extent of available Class I utilization and such milk in excess of Class I use would be assigned to lower classes in sequence starting with the highest available usage.

The September-December period appears to be a suitable period for giving producers incentive for increasing production as part of a program of evening out their annual production. In the computation of daily bases each producer's total deliveries for the entire four month period should be divided by the total number of days on which deliveries are made but in no event by less than 90. For purposes of computing bases in the case of producers on every-other-day delivery to a pool plant, the days of non-

delivery should be considered as days of delivery. Proponents proposed that a base be established only in the event of at least 90 days of actual delivery and that the total deliveries be divided by 122 in all cases. They would provide no means for a producer entering the market after October 2 to establish a base. The plan set forth herein will permit a producer to enter the market at any time and to establish a base on the basis of his performance during the entire base-forming period. Other producers have assurance that a producer entering the market after September 1, will have no undue advantage in the establishment of a base since maximum bases can be established only through deliveries over a minimum of 90 days. In view of the fact that some producers may have been in doubt as to whether September 1954 deliveries would be used in establishing bases, provision is made that the daily base calculated from deliveries in the fall months of 1954 should be the higher of that calculated as above or that resulting from a like calculation using deliveries for the months of October through December 1954.

As a result of exceptions received provisions that were recommended with respect to interim bases for producers who made no deliveries during the base-forming period and with respect to relinquishment of established bases have been reconsidered in the light of the evidence in the record of hearing. Such evidence indicates that these provisions would provide reduced incentive for leveling of production to those producers whose deliveries are most uneven. It does not appear necessary that they be included in the plan at this time.

Producers proposed that the period of payment on base and excess milk be the eight-month period of January through August. However, a review of the month to month variation in producer receipts indicates that the months of February through July are the months in which corrective action is necessary with respect to variation in deliveries. It is highly desirable that the base plan have as large a degree of flexibility as is possible without destroying the desired effectiveness of the plan. Confining the base operating period to the six months when production in relation to fluid sales is most excessive will preserve flexibility while at the same time offer substantial monetary reward to those producers who level their annual production to meet more nearly the needs of the market. During the remaining months of August through January all producers on the market would receive the market "blend" or uniform price.

Operation of a base-excess plan for paying producers requires certain rules in connection with the establishment and transfer of bases to provide reasonable administrative workability of the plan. To accomplish this purpose transfers of bases should be limited to situation in which producers may die or enter into military service and where joint production arrangements are dissolved. Since the base plan herein proposed is to be effective in determining producer payments in only five of the twelve months

of the year, and all producers must establish a new base each year, provisions in addition to those contained herein for the establishment and transfer of bases to meet unusual situations do not appear necessary.

2. Class III price. The present order provisions dealing with the determination of the Class III price should be revised by substituting the Bennett Creamery Co., of Ottawa, Kansas for the Meyer Sanitary Milk Company of Valley Falls, Kansas and by providing that in no event shall the Class III price be less than the price paid by the Beatrice Foods Company at Topeka.

At the time the Meyer Sanitary Milk Company was included in the order as one of the plants the producer pay prices of which were used to determine the Class III price, that company was a very substantial buyer of local milk for manufacturing purposes. The record shows that operations of this plant have subsequently been discontinued and accordingly, it no longer represents an appropriate medium for determining competitive pay prices in the Topeka area. The Bennett Creamery Company of Ottawa is a substantial buyer of milk for manufacturing milk and as such represents an appropriate addition to the plants used in determining the Topeka Class III price. The primary outlet for milk of Topeka producers which is in excess of fluid needs is the Beatrice Foods Company plant at Topeka. Producer milk priced under this order is all of Grade A quality and there appears no reason why it should not command a price in this market at least equal to the local pay price for ungraded milk. Therefore, it appears appropriate that the price paid by the Beatrice Foods Company for ungraded milk be established as a minimum price for Class III milk.

7. Marketing service deduction. The provisions of § 980.88 of the order should be revised to provide a maximum marketing service deduction of 5 cents per hundredweight in lieu of the present 3 cents. The three cent deduction was established in 1934 and the expenses and salaries of the market administrator and his staff have substantially increased since that time. The monies collected under the 3 cent rate are now insufficient to cover the costs incurred in checking weights and tests of producer milk and the marketing service account has been running in the red. It is estimated that an additional 2 cents per hundredweight is necessary to cover the cost of necessary marketing services performed by the market administrator for producers for whom such services are not being rendered by a cooperative association qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act." The proposed 5 cent rate is a maximum rate and it is provided that if the Secretary finds that necessary services can be performed for a lesser rate he may reduce the deduction accordingly.

Ruling on exceptions. Within the period reserved for exceptions, interested parties filed exceptions to certain of the findings, conclusions, and actions, recommended by the Deputy Administrator. In arriving at the findings, conclusions

and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings, conclusions, and actions decided upon herein are at variance with the exceptions, such exceptions are overruled.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement, upon which a hearing has been held.

Determination of representative period. The month of July 1954, is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of an order amending the order, as amended, regulating the handling of milk in the Topeka, Kansas, marketing area in the manner set forth in the attached amending order is approved or favored by producers who during such period were engaged in the production of milk for sale in the marketing area specified in such marketing order as amended.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Topeka, Kansas, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Topeka, Kansas, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 23d day of September 1954.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.

Order¹ Amending the Order, as Amended, Regulating the Handling of Milk in the Topeka, Kansas, Marketing Area.

§ 980.0 **Findings and determinations.** The findings and determinations herein-after set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) **Findings upon the basis of the hearing record.** Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (hereinafter referred to as the "act") (7 U. S. C. 601 et seq.) and the rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Topeka, Kansas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which hearings have been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Topeka, Kansas, marketing area shall be conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Add the following as § 980.16:

§ 980.16 **Base milk.** "Base milk" means the amount of milk received by a handler from a producer during each of

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

the delivery periods of February through July which was not in excess of such producer's daily base computed pursuant to § 980.66 multiplied by the number of days in such delivery period on which such milk was received by the handler. *Provided*, That with respect to any producer on "every-other-day" delivery to a pool plant the days of nondelivery shall be considered as days of delivery for purposes of this section and of § 980.66.

2. Add the following as § 980.17:

§ 980.17 **Excess milk.** "Excess milk" means the amount of milk received by a handler from a producer during any of the delivery periods of March through July which is in excess of base milk received from such producer during such delivery period and shall include all milk received from a producer for whom no daily base can be computed pursuant to § 980.66.

3. Amend § 980.22 by adding the following as paragraphs (f) and (g)

(f) On or before February 11 of each year in writing notify (1) each producer who made deliveries of milk during the previous September through December of his daily base computed pursuant to § 980.66, (2) each cooperative association of the daily base of each member of such association, and (3) each handler of the daily base of each producer from whom such handler receives milk;

(g) On or before the 8th day after the end of each delivery period mail to all handlers: (1) Such of the computations of the uniform price(s) made pursuant to §§ 980.71 and 980.72 as do not disclose information confidential pursuant to the act; (2) the applicable uniform price(s) per hundredweight computed pursuant to §§ 980.71 and 980.72; (3) the prices for Class I milk, Class II milk, and Class III milk; and (4) the butterfat differentials computed pursuant to §§ 980.51 and 980.82.

4. Delete § 980.30 (a) and substitute therefor the following:

(a) The receipts at each plant of milk from each producer, the average butterfat test, the pounds of butterfat contained therein, the number of days on which milk was received from such producer; and for each of the delivery periods of February through July, the total pounds of base milk and excess milk received from each producer.

5. Delete § 980.31 (a) and substitute therefor the following:

(a) The total pounds of milk, the average butterfat test thereof, and the pounds of butterfat received from each producer and cooperative association, and the number of days on which milk was received from such producer, including for each of the delivery periods of February through July such producers' deliveries of base milk and excess milk.

6. Amend § 980.50 (c) by deleting the words "Meyer Sanitary Milk Company at its plant at Valley Falls, Kansas" and substitute therefor the words "Bennett Creamery Company at Ottawa, Kansas: *Provided*, That in no event shall the price be less than that paid at the Beatrice

Foods Company plant included in this section."

7. In § 980.64 delete the words "Excess milk," as they appear in the heading and substitute therefor the word "Overage."

8. Add the following as § 980.66:

§ 980.66 *Computation of daily base for each producer* The daily base for each producer applicable during each of the delivery periods of February through July, inclusive, shall be determined by the market administrator as follows:

(a) Divide the total pounds of milk received by a handler(s) at a pool plant from such producer during the immediately preceding delivery periods of September through December by the number of days during such period on which milk was received from such producer, or by 90, whichever is greater: *Provided*, That the daily base applicable during the delivery periods of February through July 1955 shall be the higher of that resulting from such computation or that resulting from an identical computation with respect to milk received from such producer during the immediately preceding delivery periods of October through December.

9. Add the following as § 980.67:

§ 980.67 *Daily base rules.* (a) Except as provided in paragraph (b) of this section, a daily base shall apply only to milk produced by the producers in whose name such milk was delivered to the handler(s) during the base-forming period.

(b) A producer may transfer his daily base during the period of February through July by notifying the market administrator in writing before the last day of any delivery period that such base is to be transferred to the person named in such notice but under the following conditions only:

(1) In the event of the death or entry into military service of a producer, the entire daily base may be transferred to a member of such producer's immediate family who carries on the dairy operation on the same farm.

(2) If a base is held jointly and such joint holding is terminated on the basis of written notice to the market administrator from the joint holders the entire daily base may be transferred to one of the joint holders, or divided in accordance with such notice between the former joint holders if they continue dairy operations.

10. Delete § 980.71 and substitute therefor the following:

§ 980.71 *Computation of uniform price.* For each of the delivery periods of August through January the market administrator shall compute the uniform price per hundredweight for milk received from producers as follows:

(a) Combine into one total the values computed pursuant to § 980.70 for all handlers who filed reports prescribed in § 980.30 and who made the payments pursuant to §§ 980.80 and 980.84 for the preceding delivery period;

(b) Add an amount equal to one-half of the unobligated balance in the producer-settlement fund;

(c) Subtract for each one-tenth percent by which the average butterfat content of the milk included in these computations is greater than 3.8 percent, or add for each one-tenth percent that such average butterfat content is less than 3.8 percent, an amount computed by multiplying the butterfat differential computed pursuant to § 980.82 by the total hundredweight of such milk;

(d) Divide by the total hundredweight of milk included in these computations; and

(e) Subtract not less than 4 cents nor more than 5 cents. The resulting figure shall be the uniform price for such delivery period for milk of producers containing 3.8 percent butterfat.

11. Add the following as § 980.72:

§ 980.72 *Computation of uniform price for base milk and excess milk.* For each of the delivery periods of February through July the market administrator shall compute uniform prices per hundredweight for base milk and for excess milk as follows:

(a) Combine into one total the values computed pursuant to § 980.70 for all handlers who filed reports pursuant to §§ 980.80 and 980.84 for the preceding delivery period;

(b) Add an amount equal to one-half of the unobligated balance in the producer-settlement fund;

(c) Subtract for each one-tenth percent by which the average butterfat content of the milk included in these computations is greater than 3.8 percent, or add for each one-tenth percent that such average butterfat content is less than 3.8 percent, an amount computed by multiplying the butterfat differential computed pursuant to § 980.82 by the total hundredweight of such milk;

(d) Compute the total value of excess milk included in these computations by multiplying the hundredweight of such milk not in excess of the total quantity of Class III milk included in these computations by the price for Class III milk of 3.8 percent butterfat content, multiplying the remaining hundredweight of such milk not in excess of the total quantity of Class II milk by the price for Class II milk of 3.8 percent butterfat content, multiplying any remaining hundredweight of such milk by the price for Class I milk of 3.8 percent butterfat content, and adding together the resulting amounts.

(e) Divide the total value of excess milk obtained in paragraph (d) of this section by the total hundredweight of such milk, and adjust to the nearest cent. The resulting figures shall be the uniform price for such delivery period for excess milk of 3.8 percent butterfat received from producers;

(f) Subtract the value of excess milk obtained in paragraph (d) of this section from the aggregate value of milk obtained in paragraph (e) of this section and adjust by any amount involved in adjusting the uniform price of excess milk to the nearest cent;

(g) Divide the amount obtained in paragraph (f) of this section by the total hundredweight of base milk included in these computations; and

(h) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (g) of this section. The resulting figure shall be the uniform price for such delivery period for base milk of 3.8 percent butterfat received from producers.

12. Amend § 980.80 by deleting the words "at not less than the uniform price for all milk received from such producer" as they appear immediately preceding the proviso and substitute therefor the following: "at not less than the applicable uniform price(s) computed pursuant to §§ 980.71 and 980.72 for milk received from such producers."

13. Delete § 980.85 (c)

14. Delete § 980.87 (b) and substitute therefor the following:

(b) The total pounds of milk (base milk and excess milk separately for February through July) delivered by the producer and the average butterfat test thereof, and the pounds per shipment if such information is not furnished to the producer each day.

15. Delete § 980.88 (a) and substitute therefor the following:

(a) *Deductions for marketing service.* Except as set forth in paragraph (b) of this section, each handler, in making payments to producers (other than himself) pursuant to § 980.80 shall deduct 5 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all milk of each producer purchased or received by such handler during the delivery period and shall pay such deductions to the market administrator on or before the 12th day after the end of such delivery period. Such moneys shall be expended by the market administrator for market information to, and for the verification of weights, sampling and testing of milk received from said producers.

[F. R. Doc. 54-7591; Filed, Sept. 27, 1954; 8:53 a.m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SMALL TRACT CLASSIFICATION ORDER 38

SEPTEMBER 21, 1954.

Pursuant to the authority delegated to me under section 2.21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F. R. 8625) I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. Sec. 682a) as amended, the following described public lands in the Anchorage, Alaska, Land District:

FLAT LAKE AREA

FOR LEASE AND SALE

For Recreation Sites

All unsurveyed lands lying within 660 feet of the shore of Flat Lake, and all islands lying within Flat Lake, containing approximately 200 acres.

The lands described above will become available for disposition upon issuance of new regulations pursuant to the recently amended Small Tract Act.

Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, under the circumstances, are substantial and are appropriate for the use for which the lease is issued.

FRED J. WELLER,

Area Lands and Minerals Officer

[F. R. Doc. 54-7580; Filed, Sept. 27, 1954; 8:49 a. m.]

ALASKA

SHORESPACE RESTORATION ORDER 517 AND SMALL TRACT CLASSIFICATION ORDER 87

SEPTEMBER 21, 1954.

By virtue of the authority contained in the act of June 5, 1920 (41 Stat. 1059; 48 U. S. C. 372) and pursuant to Delegation of Authority contained in sections 2.21 and 2.22 (a) (3) of Order No. 1, Bureau of Land Management, Area 4, approved by the Acting Secretary of the Interior on August 20, 1951 (16 F. R. 8625), it is ordered as follows:

1. Subject to valid existing rights, the 80-rod shorespace reserve created under the act of May 14, 1898 (30 Stat. 409; 48 U. S. C. 371) as amended, is hereby revoked as to the public lands herein-after described, which are situated in the Anchorage, Alaska, Land District and which are hereby classified as chiefly valuable for lease and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended:

JUNEAU SMALL TRACT AREA

FOR LEASE AND SALE

For Residence Sites

U. S. Survey 3258:

Lots 2-14, inclusive;
Lots 16-32, inclusive.

U. S. Survey 3259:

Lots 33-41, inclusive;
Lots 43-48, inclusive;
Lots 51, 52, and 53.

U. S. Survey 3260:

Lots 12-21, inclusive;
Lots 23-38, inclusive.

U. S. Survey 3261:

Lot 39A; Lots 40-44, inclusive;
Lots 46-53, inclusive.

U. S. Survey 3262:

Lots 54-63, inclusive.

Comprising 98 tracts, aggregating approximately 131.60 acres.

2. Subject to valid existing rights, the following described lands, which are located in the Anchorage, Alaska, Land District, are hereby classified as chiefly valuable for lease and sale under the Small Tract Act of June 1, 1938 (52 Stat. 609-43 U. S. C. 682a) as amended:

U. S. Survey 3274. Lots 55, 56, and 57.

Comprising 3 tracts aggregating approximately 0.67 acre.

The lands described above appear from the Land Office records to be subject to valid existing rights based upon prior occupancy pursuant to permits issued heretofore by the Forest Service, U. S. Department of Agriculture. As to these lands, a preference right will be accorded to the respective occupants thereof who are, or prior to elimination of these lands from the Tongass National Forest were, holders of permits issued by the Forest Service. Such persons may file their preference right application for these lands in accordance with the procedure set forth in paragraph 4 (a) (2), below.

3. The following described lands, which were classified for lease and sale under Alaska Small Tract Classification Order No. 71 of April 3, 1953, shall become subject to disposition as provided in paragraph 4 of this order:

U. S. Survey 3260: Lots 1-8, inclusive;

U. S. Survey 3263, Tract A. Lots 5-12, inclusive.

Comprising 16 tracts aggregating 32.72 acres.

All of the lands described in paragraphs 1, 2, and 3 are located in the general vicinity of the Mendenhall River, northwest of Juneau, Alaska. All of the lots contain good road frontage. None of the tracts have shoreline but many command a fine view. Most of the area is heavily forested and small streams traverse some of the tracts. Soils are generally thin and rocky and slopes vary from flat to very steep. Climatically the area is similar to most of Southeast Alaska, featuring cool, moist summers, moderate winters, and a heavy annual precipitation. Sewage disposal can be accomplished through septic tanks or cesspools, and drinking water can be obtained from wells, streams, or by the use of some rainwater storage device.

Schools, churches, stores, and other community facilities are available in Juneau.

4. This classification order shall not otherwise become effective to change the status of any lands described herein or to permit the leasing of any such lands under the Small Tract Act of June 1, 1938, cited above, until 10:00 a. m. on October 14, 1954. At that time the lands described above shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location and selection, as follows:

(a) *Ninety-one day period for preference right filings.* For a period of 91 days from 10:00 a. m. on October 14, 1954, to close of business on January 12, 1955, inclusive, preference will be given as set forth above to:

(1) Applications under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the Act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 270-284), as amended, subject to the requirements of applicable law, and

(2) Applications under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Application by veterans and other qualified persons under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in this subdivision.

(b) *Advance period for simultaneous preference right filings.* All applications filed by such veterans and other qualified persons, or by persons claiming preference rights superior to those of such veterans filed under the preceding paragraph (a) on September 23, 1954, or thereafter, up to and including 10:00 a. m. on October 14, 1954, shall be treated as simultaneously filed. All applications filed under the preceding paragraph (a) after 10:00 a. m. on October 14, 1954, shall be considered in the order of filing.

(c) *Date for non-preference right filings.* Commencing at 10:00 a. m. on January 13, 1955, any lands remaining unappropriated shall become subject to application under the Small Tract Act by the public generally.

(d) *Advance period for simultaneous non-preference right filings.* Applications under the Small Tract Act by the general public filed on December 23, 1954, or thereafter, up to and including 10:00 a. m. on January 13, 1955, shall be treated as simultaneously filed. All applications filed thereafter shall be considered in the order of filing.

5. A veteran shall accompany his application with a complete photostatic or other copy (both sides) of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or which constitutes evidence of other facts

upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

6. All applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be made on Form 4-776 and shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent that such regulations are applicable. Applications under the Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Part 257 of Title 43 of the Code of Federal Regulations.

7. Lessees under the Small Tract Act of June 1, 1938, will be required, within a reasonable time after execution of the lease, to construct upon the leased land, to the satisfaction of the appropriate officer of the Bureau of Land Management authorized to sign the lease, improvements which, under the circumstances, are substantial, and are appropriate for the use for which the lease is issued. Leases will be issued for a period of two years, at an annual rental of \$5 for residence sites, payable in advance for the entire lease period. Applications for extension for an additional period of one year shall be considered in appropriate cases. Every lease for land classified for lease and sale will contain an option to purchase clause and every such lessee may file an application to purchase at the sale price as provided in the lease.

8. All of the land will be leased in tracts varying in size from approximately 0.21 acre to approximately 3.31 acres, in accordance with the classification maps on file in the Land Office, Anchorage, Alaska. These tracts are appraised at prices ranging from \$50 to \$375.

9. Lessees must locate any wells or sewage disposal facilities in accordance with the laws and regulations of the Territory of Alaska.

10. The leases will be made subject to rights-of-way for road purposes and public utilities, as specified in the Classification and Appraisal Report on file in the Land Office, Anchorage, Alaska. Such rights-of-way may be utilized by the Federal Government, State, Territory, County, or Municipality, or by any agency thereof. In the discretion of the authorized officer of the Bureau of Land Management, these rights-of-way may be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

FRED J. WEILER,
Area Lands and Minerals Officer

[F. R. Doc. 54-7581; Filed, Sept. 27, 1954;
8:50 a. m.]

EMERGENCY DESIGNATION OF MARKETING AREAS FOR CERTAIN O & C TIMBER IN ORDER TO MINIMIZE LOCAL LOG SHORT- AGES AND TO AVOID UNEMPLOYMENT IN WESTERN OREGON

SEPTEMBER 24, 1954.

Pursuant to the authority contained in Order No. 2583, Amendment No. 12, September 17, 1954, of the Secretary of the Interior, and in view of the critical log shortage now existing in the Douglas and Siuslaw Marketing Areas, timber designated Emergency Timber, to be offered for sale in the South Coast Master Unit, may receive primary manufacture in either the Siuslaw or Douglas Marketing Area. The total volume affected by this notice shall not exceed 46 million board feet.

This designation will remain in effect until December 31, 1954.

W G. GUERNSEY,
Acting Director

[F. R. Doc. 54-7635; Filed, Sept. 27, 1954;
11:02 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

DISASTER ASSISTANCE

DELINEATION AND CERTIFICATION OF COUNTIES CONTAINED IN DROUGHT AREAS

Pursuant to Public Law 875, 81st Congress, the President on September 16, 1954, determined that a major disaster occasioned by drought existed in the following States:

Alabama.	South Carolina.
Georgia.	Tennessee.
Mississippi.	

Pursuant to the authority delegated to me by the Administrator, Federal Civil Defense Administration (18 F. R. 4609; 19 F. R. 2148), as further amended on July 30, 1954, and for the purposes of section 2 (d) of Public Law 38, 81st Congress, as amended by Public Law 115, 83d Congress and section 301 of Public Law 480, 83d Congress, the counties set forth below have been determined to be the aforesaid major disaster area in the States indicated:

ALABAMA	
Autauga.	Lawrence.
Bibb.	Limestone.
Blount.	Lowndes.
Chilton.	Madison.
Clay.	Marion.
Colbert.	Marshall.
Coosa.	Montgomery.
Cullman.	Morgan.
Dallas.	Perry.
De Kalb.	Pickens.
Elmore.	St. Clair.
Fayette.	Shelby.
Franklin.	Sumter.
Greene.	Talladega.
Hale.	Tallapoosa.
Jackson.	Turkey.
Jefferson.	Walker.
Lamar.	Wilcox.
Lauderdale.	Winston.

GEORGIA

Baldwin.	Lamar.
Ben Hill.	Laurens.
Bibb.	Lincoln.
Blackley.	McDuffie.
Bryan.	Monroe.
Bulloch.	Montgomery.
Burke.	Morgan.
Butts.	Newton.
Candler.	Oglethorpe.
Chatham.	Peach.
Chattooga.	Pike.
Clayton.	Pulaski.
Columbia.	Putnam.
Crawford.	Richmond.
Crisp.	Rockdale.
Dade.	Screven.
Dodge.	Spalding.
Dee.	Talbot.
Effingham.	Taliaferro.
Elbert.	Tattnall.
Emanuel.	Taylor.
Evans.	Telfair.
Fayette.	Tift.
Floyd.	Toombs.
Glasseck.	Treutlen.
Greene.	Turner.
Hancock.	Twiggs.
Henry.	Upson.
Houston.	Walker.
Irwin.	Warren.
Jasper.	Washington.
Jefferson.	Wheeler.
Jenkins.	Wilcox.
Johnson.	Wilkes.
Jones.	Wilkinson.

MISSISSIPPI

Attala.	Montgomery.
Benton.	Neshoba.
Bollivar.	Newton.
Calhoun.	Noxubee.
Carroll.	Oktibbeha.
Choctaw.	Panola.
Clay.	Pontotoc.
Copiah.	Quitman.
DeSoto.	Rankin.
Grenada.	Scott.
Hinds.	Sharkey.
Holmes.	Smith.
Humphreys.	Sunflower.
Itaouqua.	Tallahatchie.
Itawamba.	Tate.
Kemper.	Tippah.
Lafayette.	Tishomingo.
Lauderdale.	Tunica.
Lawrence.	Union.
Leake.	Warren.
Leflore.	Washington.
Lowndes.	Webster.
Madison.	Winston.
Marshall.	Yalobusha.
Monroe.	Yazoo.

SOUTH CAROLINA

The entire State (all 46 counties).

TENNESSEE

Benton.	Lauderdale.
Carroll.	Loudon.
Crockett.	McMinn.
Gibson.	Madison.
Giles.	Marshall.
Haywood.	Maury.
Hickman.	Meigs.
Houston.	Rhea.
Humphreys.	Tipton.

This delineation and certification shall supersede all prior delineations and certifications with respect to the aforesaid major disasters.

Done at Washington, D. C., this 22d day of September 1954.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-7572; Filed, Sept. 27, 1954;
8:49 a. m.]

PRODUCTION EMERGENCY LOANS AND ECONOMIC EMERGENCY LOANS

DESIGNATION OF AREAS

For the purpose of making loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)) it is found that in the following counties in the following States a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

CONNECTICUT

New London. Windham.

MASSACHUSETTS

Barnstable. Nantucket.
Bristol. Norfolk.
Dukes. Plymouth.
Essex. Worcester.
Middlesex.

NEW HAMPSHIRE

Hillsboro. Stafford.
Rockingham.

RHODE ISLAND

All counties (entire State).

Pursuant to the delegation of authority from the Administrator, Federal Civil Defense Administration (18 F. R. 4609; 19 F. R. 2148) as further amended on July 30, 1954, and for the purpose of making loans pursuant to section 2 (b) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (b)) as amended by Public Law 115, 83d Congress, and section 301 of Public Law 480, 83d Congress, it is determined that all counties in the State of Rhode Island and the above designated counties in the Commonwealth of Massachusetts are within the area affected by major disaster, occasioned by two recent hurricanes, determined by the President on September 2, 1954, also that the above designated counties in the State of Connecticut are within the area affected by the major disaster, occasioned by two recent hurricanes, determined by the President on September 17, 1954, pursuant to Public Law 875, 81st Congress. It is also determined that an economic disaster exists in the areas designated above in the State of Rhode Island, Commonwealth of Massachusetts and the State of Connecticut, that has caused a need for agricultural credit that cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular loan programs, or other responsible sources.

After December 31, 1955 loans under section 2 (a) or 2 (b) of Public Law 38, 81st Congress, as amended, will not be made in the States aforesaid except to borrowers who previously received such assistance.

Done at Washington, D. C., this 22d day of September 1954.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-7573; Filed, Sept. 27, 1954; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6594]

PAN AMERICAN WORLD AIRWAYS, INC.,
ACQUISITION OF LINEAS AEREAS COSTARRICENSES, S. A.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Pan American World Airways, Inc., under section 408 of the Civil Aeronautics Act of 1938, as amended, for a determination whether Pan American World Airways, Inc., has acquired control of Lineas Aereas Costarricense, S. A., and, if so, for approval of such acquisition.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 408 of said act, that a public hearing in the above-entitled proceeding assigned for October 18, 1954, is hereby postponed until November 22, 1954, at 10:00 a. m., e. s. t., in Room 5132, Commerce Building, 15th Street and Constitution Avenue NW., Washington, D. C., before Examiner Edward T. Stodola.

Dated at Washington, D. C., September 22, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner

[F. R. Doc. 54-7593; Filed, Sept. 27, 1954; 8:53 a. m.]

FEDERAL TRADE COMMISSION

[File No. 470]

GUMMED PAPER AND SEALING TAPE INDUSTRY

NOTICE OF TRADE PRACTICE CONFERENCE

Notice is hereby given that a trade practice conference for the Gummed Paper and Sealing Tape Industry will be held by the Federal Trade Commission in the Greenbrier Hotel, White Sulphur Springs, West Virginia, on October 21, 1954, commencing at 10 a. m., e. s. t.

Products of the industry include water-activated gummed paper sealing tapes, gummed stay papers, gummed cloth tapes used for closure purposes, gummed reinforced tapes (plain or printed) gummed flat papers, gummed hollands, gummed veneer tapes and other gummed paper specialties, and such gummed reinforced paper and/or cloth specialties as are natural affiliates. All persons, firms, corporations and organizations engaged in the business of manufacturing or marketing in commerce such products are considered members of the industry and are cordially invited to attend and participate in this meeting.

The purpose of the conference, authorized at the industry's request, is to afford industry members an opportunity to consider and propose for establishment, subject to the Commission's approval, rules designed to eliminate and prevent unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses which violate laws administered by the Commission.

After the conference on October 21st, and before rules are finally approved by

the Commission, a draft of proposed rules will be made available to all interested and affected parties, including consumers, upon public notice affording them opportunity to present their views, criticisms, and suggestions respecting the rules, and to be heard at a public hearing the time and place of which will be announced by the Commission.

Issued: September 23, 1954.

By direction of the Commission.

[SEAL] ROBERT M. FARRISII,
Secretary.

[F. R. Doc. 54-7582; Filed, Sept. 27, 1954; 8:50 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

HAMBURG-AMERIKA LINIE ET AL.

NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. section 814.

(1) Agreement No. 7968-1, between Hamburg-Amerika Linie, Nord-Deutscher Lloyd, and Ahrenkiel & Bono, modifies joint service agreement No. 7968 by deleting the joint service trade name "Great Lakes Service" wherever it appears in the agreement. Agreement 7968 covers the trade between Great Lakes ports of the United States and Canada on one hand and ports in Continental Europe and the United Kingdom on the other hand.

(2) Agreement No. 7993 between American Union Transport, Inc., and Trailer Marine Transportation, Inc., is an arrangement under which American Union will transport express shipments for Trailer Marine in the trade between New York and Puerto Rico at agreed compensation, such shipments to consist of uncrated automobiles and trucks and commodities in trailers, vans, and containers.

(3) Agreement No. 5660-2, between the Member Lines of the Marseilles North Atlantic U. S. A. Freight Conference, modifies the basic agreement of that conference (No. 5660) to provide that conference members will automatically become a party to, and members withdrawing from the conference will automatically cease to be a party to any agreements between the member lines of the Conference (jointly entered into by said member lines in their capacity as Conference members), and any other carrier or other person subject to the Shipping Act, 1916, as amended.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of the agreements and their position as

to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: September 23, 1954.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 54-7595; Filed, Sept. 27, 1954;
8:54 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[Gen. Admin. Order VI-1, Rescission]

POSITION OF ASSISTANT DIRECTOR FOR
NON-MILITARY DEFENSE

The responsibilities assigned by General Administrative Order VI-1 dated November 5, 1953 (18 F. R. 7622) and Amendment 1 thereto, dated February 1, 1954 (19 F. R. 740) having been transferred pursuant to General Administrative Order X-1¹ and Amendment 2 to General Administrative Order VII-1,² effective as of Sept. 20, 1954, GAO-VI-1 and Amendment 1 thereto are hereby rescinded.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMMING,
Director

[F. R. Doc. 54-7576; Filed, Sept. 23, 1954;
3:09 p. m.]

[Gen. Admin. Order VII-1, Amdt. 2]

ESTABLISHMENT OF POSITION OF ASSISTANT
DIRECTOR FOR PRODUCTION

General Administrative Order VII-1, dated November 5, 1953, as amended June 16, 1954, is further amended as follows:

1. The following subparagraphs are added to paragraph 2:

q. Develop policies and standards for the protection of the mobilization base and to assure the continuity of essential production in event of attack.

r. Perform the functions of the Director in establishing policies and standards for rating critical facilities and the review and approval of such ratings under Executive Order 10421.

s. Perform the functions of the Director in utilizing the services of the Facilities Protection Board, establishing policies and standards for physical security and assigning rated facilities to the cognizance of appropriate agencies under Executive Order 10421.

2. This amendment shall take effect on Sept. 20, 1954.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMMING,
Director

[F. R. Doc. 54-7578; Filed, Sept. 23, 1954;
3:09 p. m.]

¹ See F. R. Doc. 54-7579, *infra*.

² See F. R. Doc. 54-7578, *infra*.

[Gen. Admin. Order X-1]

ESTABLISHMENT OF POSITION OF ASSISTANT
DIRECTOR FOR PLANS AND READINESS

1. There is established in the Office of Defense Mobilization the position of Assistant Director for Plans and Readiness.

2. The Assistant Director for Plans and Readiness is responsible for coordinating in a staff capacity the development of integrated mobilization plans and preparedness measures to meet various degrees of mobilization. More specifically, he will:

a. Coordinate the preparation of mobilization plans by all major program areas in order to assure consistency in integrated plans.

b. Coordinate the preparation of defense mobilization orders, policy statements, and other documents necessary for the implementation of approved mobilization plans.

c. Coordinate the development of an organizational structure appropriately phased to carry out the alternative mobilization plans.

d. Coordinate the preparation and maintain a catalog of the major Emergency Action Steps which must be taken in event of emergency.

3. The Assistant Director for Plans and Readiness is responsible for the testing through mobilization exercises of the adequacy and operational readiness of mobilization plans in relation to national security requirements. More specifically, he will:

a. Establish and maintain a reporting system to determine progress in attaining operational readiness of approved mobilization plans.

b. Provide for periodic reviews of readiness plans and programs in support thereof.

c. Develop a system for the assessment and reporting of attack damage and the impact of various patterns of attack on the mobilization base.

d. Develop a system for testing the adequacy and operational readiness of mobilization plans and supervise the conduct of such test.

4. The Assistant Director for Plans and Readiness is responsible for the coordination of those continental defense programs which are the primary responsibility of the Office of Defense Mobilization. More specifically, he will:

a. Develop policies and standards for the reduction of vulnerability of urban target areas.

b. Develop policies and standards for the continuity of essential wartime functions of Government in the event of attack.

c. Prepare periodic reports as required on continental defense programs and represent the Director on interagency continental defense committees and working groups.

5. The Assistant Director for Plans and Readiness is responsible for development of policies and readiness measures for wartime censorship and such other essential civilian wartime functions as the Director may assign from time to time.

6. This order does not alter any authority or responsibilities delegated or assigned to the other Assistant Directors or the National Security Council Staff of ODM.

7. This order shall take effect on September 20, 1954.

ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 54-7579; Filed, Sept. 23, 1954;
3:03 p. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3233]

CONSOLIDATED NATURAL GAS CO.

NOTICE OF FILING REGARDING PROPOSED
CHARTER AMENDMENT AND SOLICITATION
OF PROXIES

SEPTEMBER 22, 1954.

Notice is hereby given that Consolidated Natural Gas Company ("Consolidated") a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") designating sections 6 (a) 7 and 12 (e) of the act and Rule U-62 thereunder as applicable to the proposed transactions, which are summarized as follows:

The Board of Directors of Consolidated has adopted a resolution proposing an amendment to Consolidated's Certificate of Incorporation regarding a reclassification and increase of Consolidated's outstanding shares of capital stock and has called a special meeting of stockholders to be held on December 2, 1954, to consider and vote on such amendment.

The adoption of the amendment requires the affirmative vote of at least a majority of the outstanding shares of the capital stock and the holders of such stock of record at the close of business on October 15, 1954, will be entitled to one vote for each share registered in their names.

Under the proposed amendment the total number of shares of capital stock which Consolidated would have authority to issue would be 8,500,000 shares of a par value of \$10 per share in lieu of the presently authorized and outstanding 3,683,285 shares of a par value of \$15 per share and each share of the presently outstanding stock of \$15 par value would be changed into two shares of capital shares of the par value of \$10 per share. This change would occur upon the filing and recording of the amendment in the State of Delaware after which the outstanding stock certificates evidencing shares of the \$15 par value stock will evidence a like number of shares of the \$10 par value stock. Additional certificates will be issued to evidence the additional number of shares of the \$10 par value stock.

Pursuant to such change the holders of Consolidated's presently outstanding 3,683,285 shares of \$15 par value capital stock, aggregating \$55,249,275, would become the holders of 7,366,570 shares of the \$10 par value capital stock, aggregating \$73,665,700.

gating \$73,665,700. The increase in the outstanding capital stock will be reflected by a transfer of \$18,416,425 from the company's capital surplus account to the capital stock account.

On the basis of the consolidated capital stock and surplus accounts of Consolidated and its subsidiaries as at December 31, 1953, the pro forma effect of the change in the capital stock is as follows:

	Before stock split-up	After stock split-up
Outstanding capital stock	\$55,249,275	\$73,665,700
Capital surplus	\$75,070,432	\$56,654,907
Earned surplus	\$113,420,557	\$113,420,557
Total, stockholders' equity	\$243,740,364	\$243,740,364
Number of shares outstanding	3,683,285	7,366,570
Equity per share	\$66.17	\$33.09

In the opinion of counsel for Consolidated, the proposed amendment and the change of each outstanding share of \$15 par value into two shares of \$10 par value each will not result in any gain or loss to stockholders for Federal income tax purposes.

In addition to the 7,366,570 shares of \$10 par value capital stock which will be outstanding after the change the proposed amendment would also authorize 1,133,430 shares of unissued stock aggregating \$11,334,300 in par value.

As to the latter shares, it is represented that it will be necessary for Consolidated to seek additional capital during 1955 to pay off \$20,000,000 of outstanding construction loans and that for this and other purposes it is tentatively planned to offer 920,822 shares of this capital stock to stockholders for subscription on the basis of one new share for each eight outstanding at the time of the offer. In the event any shares so offered are not subscribed for, it is planned that such shares will be promptly sold, at the subscription price, for ultimate transfer to The Alternate Thrift Trust under The Employee Thrift Plan.

Under the proposed charter amendment, 212,608 shares of the authorized but unissued stock may be issued and sold from time to time, upon order of the Board of Directors, to finance the purchase of operating properties or an interest therein, or of securities of a public utility or natural gas company, and no stockholder of Consolidated will have any preemptive or preferential right to subscribe for any such shares.

In connection with the special meeting of stockholders, the company intends to solicit proxies to be voted in favor of the proposed amendment.

It is represented that no State commission and no Federal commission other than this Commission has jurisdiction over the proposed amendment to the Certificate of Incorporation or the solicitation of proxies.

The fees, commissions, and expenses to be paid by Consolidated in connection with the proposed transactions are estimated as follows:

Proxy solicitation	\$18,400
Advertising	300
Printing	19,200

Special meeting of stockholders	\$2,500
New York Stock Exchange listing fee	9,300
State and Federal taxes	26,900
Transfer agent's fees and expenses	60,400
Registrar's fees and expenses	10,000
Legal fees	5,000
Miscellaneous	3,000
Total	155,000

It is requested that the Commission permit the declaration to become effective regarding the solicitation of proxies by order issued on October 5, 1954, and in respect of the amendment to the Certificate of Incorporation, by order issued on or before October 17, 1954.

Notice is further given that any interested person may, not later than October 4, 1954, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his request, the reasons for such request and the issues of fact or law, if any, raised by the said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary Securities and Exchange Commission, Washington 25, D. C. At any time after that date, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 54-7561; Filed, Sept. 27, 1954;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 29710]

PHOSPHATIC FEED SUPPLEMENTS FROM FLORIDA, TENNESSEE, ALABAMA, AND MISSISSIPPI TO WESTERN TRUNK-LINE TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 23, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below. Commodities involved: Phosphatic feed supplements, viz., phosphate and superphosphate, defluorinated, and phosphate, di-calcium, feed grade, carloads.

From: Bonnie and Coronet, Fla., Godwin, Mt. Pleasant, Nashville and Wales, Tenn., Sheffield, Ala., and Tupelo, Miss.

To: Specified points in western trunk-line territory.

Grounds for relief: Rail competition, circuitry, and rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1434, supp. 2.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7562; Filed, Sept. 27, 1954;
8:47 a. m.]

[4th Sec. Application 29711]

GRADING AND ROAD MAKING IMPLEMENTS FROM CERTAIN STATES TO NORTH ATLANTIC PORTS

APPLICATION FOR RELIEF

SEPTEMBER 23, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by H. R. Hinsch, Agent, for carriers parties to schedule listed below. Commodities involved: Grading and road making implements, and related articles, carloads.

From: Points in Illinois, Indiana, and Kentucky, Wisconsin, St. Louis, Mo., and Louisville, Ky.

To: North Atlantic ports, for export. Grounds for relief: Competition with rail carriers, circuitry, to maintain grouping, and to maintain port rate relations.

Schedules filed containing proposed rates: H. R. Hinsch, Agent, I. C. C. No. 4542, supp. 81.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7563; Filed, Sept. 27, 1954;
8:47 a. m.]

[4th Sec. Application 29712]

GROUND OR PULVERIZED SAND FROM ILLINOIS AND WISCONSIN TO POINTS IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 23, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: W. J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Sand, ground or pulverized, carloads.

From: Arenzville, Millington, Ottawa, Sheridan, Utica, Weldron and Oregon, Ill., Brownstown and Klevenville, Wis.

To: Points in Indiana, Kentucky, Michigan, New York, Ohio, Pennsylvania and West Virginia.

Grounds for relief: Rail competition, circuitry, and rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: W. J. Prueter, Agent, I. C. C. No. A-3718, supp. 58.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7564; Filed, Sept. 27, 1954;
8:47 a. m.]

[4th Sec. Application 29713]

ACETIC ACID AND ANHYDRIDE FROM TEXAS AND ARKANSAS TO BROOKNEAL, VA.

APPLICATION FOR RELIEF

SEPTEMBER 23, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Acetic acid, glacial or liquid, and acetic anhydride, carloads.

From: Kings Mill, Bishop, Brownsville, Houston and Texas City, Tex., and Crosset, Ark.

To: Brookneal, Va.

Grounds for relief: Rail competition, circuitry, market competition, rates constructed on the basis of the short line distance formula, and additional destination.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3967, supp. 383; F. C. Kratzmeir, Agent, I. C. C. No. 3908, supp. 206.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7565; Filed, Sept. 27, 1954;
8:47 a. m.]

[4th Sec. Application 29714]

IRON AND STEEL FROM HOUSTON, TEX., TO SHREVEPORT, LA.

APPLICATION FOR RELIEF

SEPTEMBER 23, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: J. F. Brown, Agent, for carriers parties to schedule listed below.

Commodities involved: Iron and steel articles, carloads.

From: Houston, Texas.

To: Shreveport, La.

Grounds for relief: Market competition.

Schedules filed containing proposed rates: J. F. Brown, Agent, I. C. C. No. 802, supp. 51.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is

found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7566; Filed, Sept. 27, 1954;
8:47 a. m.]

[4th Sec. Application 29715]

ALCOHOL AND RELATED ARTICLES FROM LOUISIANA TO VEE, OHIO

APPLICATION FOR RELIEF

SEPTEMBER 23, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to Agent W. P. Emerson, Jr.'s tariff I. C. C. 400, pursuant to fourth-section order No. 16101.

Commodities involved: Alcohol and related articles, carloads and tankcar loads.

From: Baton Rouge, North Baton Rouge, Chalmette and New Orleans, La., and points grouped therewith.

To: Vee, Ohio.

Grounds for relief: Competition with rail carriers, circuitous routes and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-7567; Filed, Sept. 27, 1954;
8:47 a. m.]

[4th Sec. Application 29716]

VARIOUS COMMODITIES FROM KANSAS CITY, MO.-KANS., TO SOUTHWESTERN PORTS

APPLICATION FOR RELIEF

SEPTEMBER 23, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F. C. Kratzmeir, Agent, for carriers parties to schedules shown in Exhibit A of the application, pursuant to fourth-section order No. 17220.

Commodities involved: Various commodities, carloads.

From: Kansas City, Mo.-Kans.

To: Dallas and Fort Worth, Tex., Oklahoma City and Tulsa, Okla.

Grounds for relief: Rail competition, and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved

in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD,
Secretary.

[F. R. Doc. 54-7568; Filed, Sept. 27, 1954;
8:48 a. m.]